THE BLACK PANTHER

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TOLEDO, OHIO

On the morning of September 18, 1970, at approximately 1:25 a.m. a pig, William Miscannon, was shot in the head and killed while he sat in a patrol wagon parked on Junction and Dorr Sts. The shooting occurred across the street from the Toledo N.C.C.F. office located at 1334 Dorr St.

The pigs used the shooting as an excuse to vamp on headquarters, although no shots came from our building. At 1:30 a.m. the pigs had begun their attack on us.

They yelled for everyone to come out of headquarters, they received no answer, so immediately they began firing on us. Reinforcements were at the scene within five minutes; and the firing continued even though they were not being shot back at by us.

Mike Cross decided to go outside to talk to them. He opened the door and left the building with his hands in the air, but the firing kept on until one pig said, "Hold your fire, its Mike their leader." So two pigs grabbed him and pushed him aside, but they started firing again. At approximately 1:50 a.m. another Brother, Larry Joe McCellan came out of the building with his hands also up, but they shot him in the hand, and the pigs grabbed him and pushed him between two buildings and began beating him. After that the pigs decided to let Mike come back and call the rest of the members from the building. When they heard Mike's voice, they came out in the following manner; Dep. Communications Sec., Phyllis Hamilton was first, Mildred Robinson, an N.C.C.F. member who is pregnant follower her, last was brother Troy Montgomery, age 16. He held a rifle in his hand by the barrel. The pigs yelled at him to drop the gun and turn around. At their orders, he dropped the gun, began to turn around, when the Tom Pig, Walter Shaw, fired upon the brother, shooting him in the goin, stomach and side.

When the rescue squad came, the pigs pulled their guns on the two attendants and told them to get away from the scene before they got hurt. But they replied that they would risk their lives to get the brother to the hospital. The pigs then oinked, "Let the nigger lay there and die." They again insisted on the rescue squad leaving.

After they left they shot tear gas into the building and resumed the gun firing. They continued to shoot into the empty building off and on for about five hours, like wild and crazy maniacs.

They let Troy lay in the street, with the rain pouring on him, for over two hours before they decided to remove him from the street. Two pigs picked him up by his heels and drug him in the street with his head bumping off the curb. And just threw him in a pig wagon. When they arrived at Mercy Hospital, he also had to wait another 2 or 2 1/2 hours before getting any attention. Their Emergency Room should be renamed as their Waiting Room. Brother Larry Joe was also taken to the same hospital for treatment.

As a result of their vicious attack on us, three persons. have been arrested. They are:

1. John McClellan, age 25, charged with 1st degree murder--no bond.
2. Mike Cross, age 26, violation of Long Gun Law and Possession of Explosives with a ransom of $20,000.00
3. Otha Perkins, age 25, resisting arrest with a $10,000.00 ransom.

Brother Troy Montgomery, stayed in critical condition for approximately 26 hours. But being, and having the revolutionary spirit that he does, he is doing much better, and talked today for five minutes to his twin brother Roy.

Contrary to what the administration may think, they have stilled our efforts, and made our people become much closer. We will intensify our struggle for total and uncompromised freeeom. We will continue to serve the people and expose this racist and capitalistic system for what it is.

Our office opened up again this morning, Saturday, September 19, 1970, at 9:00 a.m., and will continue to be open for the people.

ALL POWER TO THE PEOPLE.

N.C.C.F., Toledo, Ohio
Joel E. Doublin
Brenda C. Cole

NEW ORLEANS, LOUISIANA

There have been many accounts of the vicious attack on the New Orleans N.C.C.F. The pigs have made it very difficult for the Party to get any first hand information concerning the entire incident. After reading numerous accounts of the incident in the pig media and obtaining some direct information from N.C.C.F. members before and during the attack we have been able to piece together some facts. More information will be forthcoming after a complete investigation.

On Monday night, September 14th, during a community meeting at the N.C.C.F. office two pig informers were exposed. The pig informers were escorted out of the meeting and were righteously dealt with by the community, who set their car ablaze and sent them running a foot with their tails between their legs to their masters.

The pigs became uptight over this action and began to indiscriminately harass and vamp on the people of the community. From about midnight Monday to daybreak, the people of the Desire Projects fought with the pigs. It was the people vamping on the pigs that prevented the pigs from continuing their attack on the Desire Projects. So instead they chose to mass together and attack the N.C.C.F. office which was somewhat isolated, standing alone across the street from the projects. Not to mention the fact that the pigs had been itching for an opportunity to vamp on the office ever since the N.C.C.F. started in New Orleans. Pigs continuously fall victim to that deadly logic that disposal of the N.C.C.F. members, Panthers and problems are synonymous. Failing to realize that the conditions cause the desire and necessity for revolution and bring about revolutionary Parties. In true gestapo form they massed 200 to 300 strong with all types of weapons, including an armed helicopter, machine guns, riot shotguns, etc., to carry out the kill all, destroy all mission.

This attack on the N.C.CF. by the pigs was completely without provocation or any semblance of justification. No two accounts of the reason for the attack are the same. One account says that warrants were issued, another states that the pigs were fired upon first by the occupants, still another indicated no reason. The pigs as usual are attempting to justify their unprovoked attack, but are having obvious trouble getting their lie straight. The members of the New Orleans' N.C.C.F., defended themselves against the murderous pigs and were able to come out of the office with no casualties. The people from the community gathered around to make certain that no harm came to the brothers and sisters. There were fourteen members of the N.C.C.F. arrested--12 brothers and 2 sisters. However, casualties ran high in the community with one brother dead, several injured and many arrested.

It is crystal clear that Black people, that oppressed people have no rights under this present system of laws which brings about our deaths and is backed up by an archaic Constitution. A new Constitution is 400 years overdue. Only by the rewriting and implementation of a new Constitution can we continue to survive in this world.

ALL POWER TO THE PEOPLE

BLACK PEOPLE AND OTHER OPPRESSED PEOPLE ARE SICK AND TIRED OF PAYING OUTRAGEOUS PRICES TO THE GREEDY SLUMLORD FOR UNFIT HOUSING

Black people have been forced to live in indecent housing conditions for too long. Black people and other poor and oppressed people are sick and tired of paying outrageous prices to the greedy slumlords for unfit housing. Black and all poor and oppressed people are forced to pay outlandish sums, such as $200.00 a month for 2 and 3 room apartments that are rat and roach infested. Because of these oppressive conditions, black people have been forced to take a stand against paying rent to the slumlords, by any means necessary.

On Sunday, September 13, 1970, a sister named Eulla Mae Banks, who lives at 153-16 South Road, dealt righteously with her fool slumlord, William Godet. At about 9:30 P.M., Bill came to Mrs. Banks' house talking about he was going to cut her lights off because she had not been paying any rent. Eulla Mae told the dude that she had been paying her rent, and that he had no right to cut her lights off. The sister had gone back in her bedroom to continue watching television, when all of a sudden, all the lights went out. She got up and went to investigate the situation. She met Bill, the slumlord at the stairway and asked him what was going on and why her electricity had been cut off. That is when he slapped her. Now, there was only one thing that the sister could relate to behind that action, and that was some old-fashioned lumpen self-defense. She grabbed the first thing that she could get her hands on, and that happened to be a kitchen knife. Sister Banks was rightously dealing with her slumlord. Bill ended up with 18 stitches in his face. The pigs came to the scene, arrested her, and took her down to the precinct. They issued her a summons on the penal law 120, which is assault 3. She has to appear now in court on the 24th of this month. She was released later on that night at about 11:00 P.M.

Bill not only cut off the electricity, he also cut off her gas. About 15 minutes after the sister had gotten back home, Bill showed up again to pester the sister solely for his own selfish reasons. He started telling her that she had given him 18 stitches and that she should not have done that. She told him that he should not have slapped her in the first place. The sister had turned her back on him for a few minutes, and he set the rug that was hanging on the bannister in the hall on fire, and then ran outside. Eulla Mae and her husband George went outside to find out why he did that, and Bill tried to lie his way out of it, but Mrs. Banks did not want to hear that junk, she just started pugging and whipped his and his woman's butt, and sent them both out of the community.

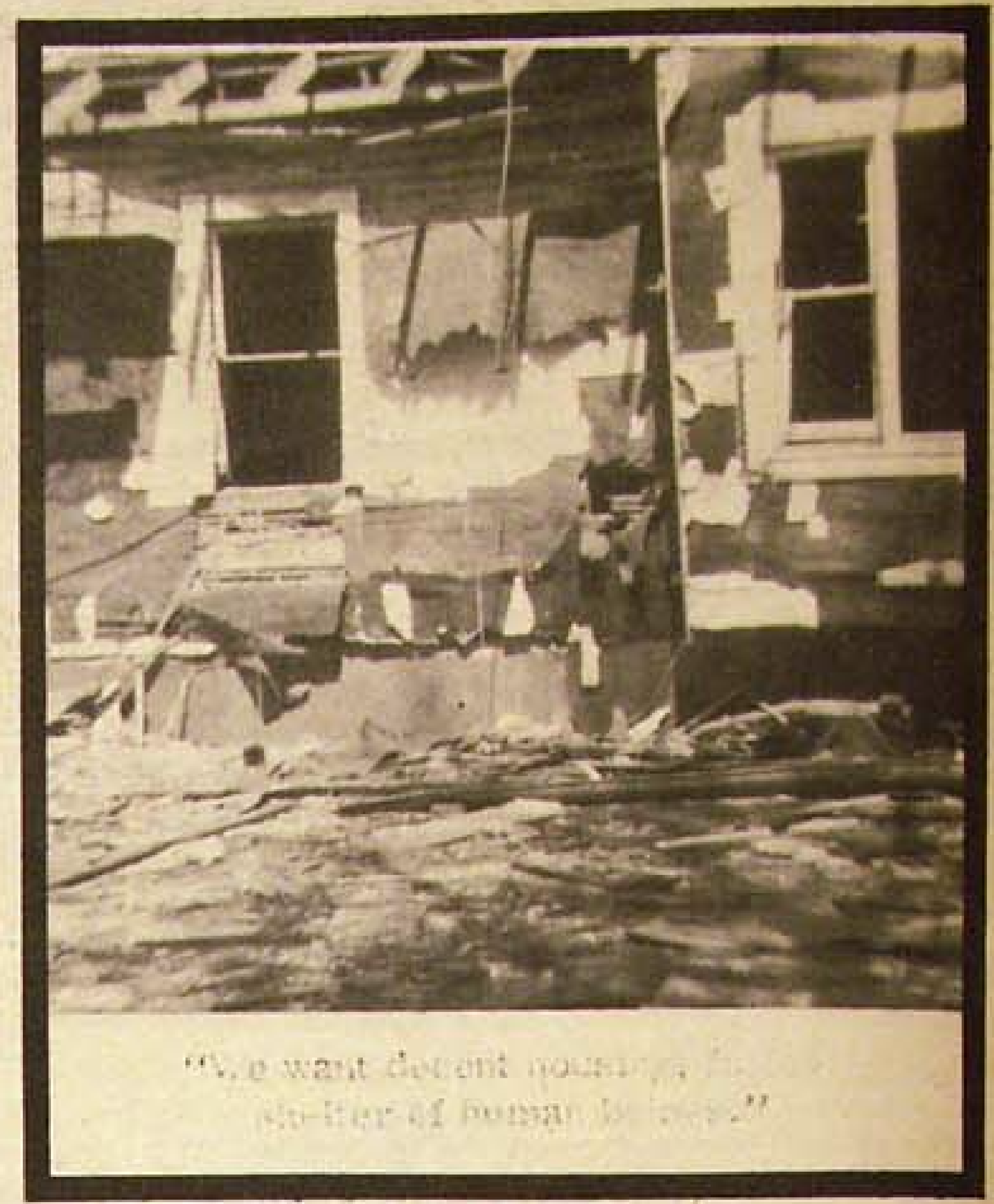
Bill drove away and came back and parked up the street from Eulla Mae's house. When he had dr[...]n away he had called the pigs. W[he]n the pigs came, Eulla Mae's son, Mickey Murray, and her husband George went to the pigs and asked them what Bill had told them. The pig told them that they would find out in court. They also reported to the pigs that Bill had tried to set their house on fire, and the pigs told these brothers that there was nothing that they could do about it.

John Thomas, Igna Gittens and I went over to the sister's house to help get the gas and electricity working again. While we were there, we did some investigating about their living conditions and their rent. George told us that their rent is $50.00 a week, which totals $200.00 a month. When they are a week late with their rent, they are forced to pay $250.00 a month. The apartment is infested with rats and roaches, the plaster is falling out of the walls and they do not have a sink or a bathtub in the bathroom. If they want to take a bath, they have to go all the way down to the basement.

The Black Panther Party feels that no human being, regardless of race, color, or creed, should be forced to live under such deplorable housing conditions. It is because of the fact that these conditions do exist that Point Number 4 of the Ten Point Platform is necessary. Point Number 4 states that We want decent housing fit for the shelter of human beings.

DEATH TO THE SLUMLORDS

Fred Hilton
Jamaica N.C.C.F.



"We want decent housing fit for the shelter of human beings."

BLACK PEOPLE LIVE IN THE RUINS OF AMERICA

We of the black community are aware of the ruins and rubbles of indecent housing and condemned buildings within our communities. The black colonies throughout babylon are infested with rats, roaches, broken glass, six-foot weeds, tin cans and vacant buildings.

Our children are the primary victims of the oppressor's avaricious tactics to end black survival.

On Rawlings Ave. in Cleveland Ohio, the roof of a condemned house recently caved in. If we examine the housing facilities in most black communities, it is plain to see that most of the houses leave much to be desired.

Most of the condemned houses in the Rawlings area are left by property owners to disintegrate. Our black youth are left to play around these ruins.

The city, state, and federal government has seen fit to issue millions of dollars in contracts to Turner Construction Company to build high rise industrial buildings in downtown Cleveland. Meanwhile, as far as the black community is concerned, the greedy businessmen and fascist government have no interest in providing adequate housing for black people.

Accident prone housing should be eliminated by those landlords and elected public officials who masquerade as serving the people! In reality, the racist landlords could care less about the desires of black people.

The National Committee to Combat Fascism receives numerous calls every week of avaricious landlords evicting families with nowhere to go.

We believe if the white landlords will not give decent housing to our black community, then the housing and the land should be made into cooperatives so that our community, with government aid, can build and make decent housing for its people.

The present constitution allows the forces of inhumanity and barbarity to prevent us from meeting our basic needs, such as decent housing, food, land, justice and peace.

In the spirit of liberation we must go forth and rewrite the constitution and provide new guards for our future security.

Long live the Spirit
of Jonathan Jackson

N.C.C.F.
Cleveland, Ohio

PEOPLE OF 39 AND 35 MT. PLEASANT HAVE TAKEN A STAND ON THEIR HUMAN RIGHT TO DECENT HOUSING

The people of 39 and 35 Mt. Pleasant have taken a stand on their human right to decent housing fit for the shelter of human beings. Both of these apartments are health and fire hazards, rat and roaches have infested the whole building, and it is just typical of the death traps people in the Black community are forced to live in.

Pig Alfred Cohen, slumlord, is known throughout the South End and Roxburn for his greed and his lying. He owns at least 75 apartment buildings, almost all of them in filthy and disasterous shape. He's always oinking to the tenants how he will fix things right away, but the pig usually takes months before he gets around to doing anything which is usually almost nothing.

Cohen doesn't have any time to be checking out his buildings because he doesn't want to and he spends all of his time collecting money. Cohen and his son Sidney were both lawyers for slumlords themselves before they decided to become slumlords. Now Al (pig) Cohen is a slumlord and his pig son Sidney is the constable of Boston and they now work hand-in-hand to deny the people of Roxbury decent housing.

The people of 39-35 Mt. Pleasant decided to attack Cohen where he would be hurt the most - in his big pockets. About 5 of the 16 tenants stopped paying him. He threatened all these people with eviction and these people responded with no rent and more people did the same. The more Pig Cohen threatened these people the more these people resisted. While Cohen was collecting money over at some of his other buildings, some of the people there took his car and ran it into a pole and when they did this they found that this money crazy hog was keeping his money in his hubcaps. So Cohen got himself a new car and when the pig went to Mt. Pleasant St. in his new car he found that he could not get any money and that his windows were shot out when he went back to his car. Even then he had trouble leaving when the tenants kids decided to pay him back for the misery he has caused them. But their parents showed mercy to him and let him go, provided he didn't come back.

So Cohen went back to the oppressors old trick bag of using a lackey after he has been driven out. Nigger James Lee has been going around saying he's the new owner and threatening people to get them to pay rent, when the people in 39-35 Mt. Pleasant St. know that the idiot rents from Cohen himself. And they have decided to run Lee out by the same means they used to run out the real pig Cohen.

Cohen has given out two eviction notices to some tenants and they have ignored them because they know where housing is at, and they know where the state laws and the U.S. Constitution is at. These laws can "legally" deny a human being a basic human right, the right to decent housing. So the people of Mt. Pleasant relate to Point No. 4 of the 10-point Point Platform and Program of the Black Panther Party "We want decent housing fit for the shelter of human beings" and if the greedy slumlord don't provide this then we will organize cooperatives so we will insure that we will have decent housing and we will defend this right!

ALL POWER TO THE PEOPLE!

DEATH TO THE GREEDY SLUMLORDS AND THE FASCIST PIGS!

Mike Ellis
Boston Chapter
Black Panther Party



BOSTON PIG HOSPITAL STRIKES AGAIN

On August 28, 1970, another attack of the fascist pig hospital where a Black man doesn't have a chance. Last night it was pouring down rain when a brother came to the Franklin Lynch People's Free Health Center. He had just got out of the hospital with a bad back. The brother was having troubles breathing and had a couple of broken ribs. Our doctor hadn't come in yet so we had to take him to the fascist pig hospital where as you know racist pigs always show their true color when you are down and can't protect yourself. They run amuck over you. We drove up to the emergency entrance and the racist pigs were oinking that we couldn't park there because it was for ambulances coming in for emergency. I jumped out of the car and went to get a stretcher and the pigs asked me if it was a kid in the car. I said no and the low natured beast that we all know them for oinked what was wrong. I continued to tell him that the brother was hit in the ribs with a baseball bat. So one of the boot-licking lackeys was talking to one of the pigs saying I didn't know they had a baseball game going on tonight. Then they turned and asked me where was the baseball game. I replied by telling them that "You don't have to be at a baseball game in the ghetto to be hit with a bat," and he knew that.

The brother was taken in and we thought he was taken care of, but as soon as we left, they started messing over him. They refused to treat the brother, they told him to go to Somerville where he was before. This was about two hours later, after I had taken him to the hospital.

He called the center and we had to rush him to the Central Hospital about six miles from Boston City Hospital. When the brother got there he was admitted, but not before they asked him all kinds of irrelevant questions that didn't even relate to his condition. They were asking questions about did he work and when the brother said no, she asked him how did he live. So, for everyone to get treated in a hospital they have to ask you these questions before you can even see a doctor. This is how Black people have been treated for years. Everyone is entitled to medical care just because they are human beings.

ALL POWER TO THE GOOD SHOOTERS!

BLACK PANTHER PARTY
Boston Chapter
Pat

THE VERY HOMES WE LIVE IN HAVE BECOME DEATH TRAPS



Death trap of 183rd street, in Bronx, N.Y.

The very houses we live in have become death traps and havens for serious injuries; these decadent conditions seek out victims--men, women, children, anyone who dares attempt to live in them. Mrs. Frances Dillard of 457 East 183rd St. was one of the latest of many victims to be severely inured due to unsafe living conditions. Frances Dillard was no stranger to indecent housing, ever since she has lived at 457 East 183rd St., she has been plagued by rats, roaches, a lack of hot water and heat and sanitary conditions. She like so many other Babylonian dwellers has grown strangely accustomed to these decrepted conditions, many never knowing any other type of life. Some have only hoped in their dreams of better conditions, while others like Mrs. Dillard have joined with others in making concrete moves to aleviate the situation. The road to improving the housing has been slow because the people are poor and they are dealing with pigs. This slow process almost proved to be fatal--On Friday, September 18, 1970, Frances Dillard Was walking down from her second floor apartment to the first floor, when she saw the landing from the second floor crashing down; as she rushed to move out of the way of the falling debris, she fell on her back. Mrs. Dillard who already suffers from a slipped disk, laid on the floor in pain amidst the debris from 1:05 p.m. to approximately 4:00 p.m. waiting for an ambulance which never came. The neighbors were afraid to move her for fear of broken bones. Finally her neighbors wisely decided to take her to the hospital. It is unfortunate that we cannot express shock over this entire incident, in the sense of being surprised, but such events are common to the Babylonian experience. Frances Dillard was taken to Fordham Hospital in a cab by her friends. After a long wait she was glanced at by the doctors and told to go home and rest. No complete examination, no x-ray, no medicine, no explanation, no nothing, only words. Words never change anything, for they can only serve to explain or express a situation--only actions can change a situation.

While the people were waiting for the ambulance to arrive, it was discovered that the tenants of this apartment building had been making complaints about the crack in the landing for no less than four years. The Fire Department had recently been out to inspect the building and had declared it a dangerous dwelling. As if to ward off the danger, they placed several pieces of plywood across the crack and left the potential death hazard for some unsuspecting victim. At the time of the accident a sister named Barbara Fitzgerald, who is an active member of the Bronx Housing Coalition, an organization dedicated to the overthrow of the landlord and the capitalist system, moved on notifying the "authorities". First, she called Benajmin Alton, Commissioner of Housing and Building who wasn't in his office, he was out to lunch--filling his gut while the people are suffering and dying. As Barbara Fitzgerald quite aptly put it, "Still we suffer while the "great America" has departments for everything but "moon dust"--Must we as a people allow ourselves to pay rent to fall and die or pay for what is not as opposed to what should be? The owners of the apartment building, Woodside Savings and Loans and their flunky partners in crime H and L Management were also notified. They were out to lunch--may they both choke to death on their lunch for they deserve a fate worse than death.

The Bronx Housing Coalition mentioned above consists of revolutionary people who are on rent strike; these people are moving to take over their buildings completely and run them on a co-operative basis. These brothers and sisters relate to the Black Panther Party and hold meetings every Thursday at 8:30 a.m.--1370 Boston Rd., Bronx. For all those interested in more information you may telephone: (212) 328-9911.

ALL POWER TO TH PEOPLE
DEATH TO THE PIGS

BLACK PANTHER PARTY
Brenda Hyson

FOUR BROTHERS MADE A COURAGEOUS ATTEMPT TO OBTAIN THE NECESSARY TOOLS OF LIBERATION!



Guns captured by pigs from brothers; Larry, Joseph, and Lionel.

On Friday, September 3rd, four courageous brothers: Wayne Morris , Larry Patterson, Joseph Bastiste and Lionel Ward made a courageous revolutionary attempt to obtain the necessary tools to resist the blood thirsty U.S. government. Being politically aware of the problems confronting Black people, these brothers moved in a revolutionary fashion to get guns to defend the Black community.

The brothers in their attempt to escape were chased and captured by the Jefferson Parish pigs. The pigs immediately injected into the minds of the people on pig T.V. and newspapers that his was the act of criminals and thieves, that the brothers were part of the N.C.C.F., here in New Orleans, and the Black Panther Party, because of the three years of lies and misinformation about the Black Panther Party, the pigs think that they can still distort our true image. They do this by attempting to make the people believe that the Black Panther Party and criminals are one in the same. But the people know that the real criminals are the rulers of this country. Thus when Black brothers and sisters move in a revolutionary manner against this criminal regime, they automatically become Panthers and are branded " common criminals" but the people of New Orleans are hip to the pigs lies. They have refused to believe that these brothers are anything other than servants of the people and not criminals. They also recognize that the Black Panther Party and the N.C.C.F. are not criminals, but also servants of the people love them, and will fight to the death to defend them and the Black community.

The four brothers are victims of a racist plot to destroy and wipe out any type of resistance in the Black community. They are political prisoners who were moving on the tools of liberation to defend the Black community against racist oppression and capitalist exploitation. Moreover, they were ready to deal a political consequence.

The people want these brothers free! They are presently being held on $80,000 ransom in the La Fouch Parish Prison. The New Orleans N.C.C.F. supports these revolutionary brothers for they had enough initiative to go forth and do something about destroying the wretched conditions that Black people are forced to live in.

Donations for the New Orleans Four can be sent to the New Orleans Four Defense Committee, c/o the National Committee To Combat Facism., P.O. Box 52941 New Orleans, La. ----For further information call: 943- 7282, 524-7980, 895-9284 or 522-9283

ALL POWER TO THE PEOPLE! FREE ALL POLITICAL PRISONER!

DEATH TO THE FASCIST PIGS!

COMMUNITY WORKER ARRESTED FOR COMING TO AID OF A YOUNG BROTHER WHO WAS BEING VICTIMIZED BY A PIG

The Seventh Point of the Ten Point Platform and Program states that "We want an immediate end to Police Brutality and Murder of Black People. The Third Point states that "We want an end to the robbery by the capitalist of our Black community. On September 16, 1970, both of these points were brought out to the people of Rockford.

On September 16, 1970, at about 5:30 I was standing outside of the Eagles Super Market on the South Side of Rockford when I saw a little brother run out of the store. Right behind him was a plain clothed rent-a-pig named J. Renoldo, Badene number 050. This pig was running after the brother as if he had stole a million dollars. To make sure this pig didn't brutalize the brother I ran behind him. Displaying the true nature of a racist, this pig caught the little brother and began pulling and dragging him by the collar. I then told this maniac to let the brother og, but he turned around and started oinking something about being a police officer and to mind my own busness. I replied, "I don't care who you are get you hands off him." I asked this pig why he was harassing the little brother and he said, "He stole a package of pencils and a package of 12 cent cakes. In all these titems couldn't have amounted to more than 40 cents. Yet Eagles has a chain of food stores throughout the community robbing the people on an average of thousands of dollars a week.

As we walked back to the store the manager of this tore came out of a side door to let the rent-a-pig and the little brother in. I sid, "If you harm that brother in any way I'm going to see that you are exposed to the people of the community." I then went to the front of the store to see that this pig and the avaricious greedy store manager didn't harm the youth. As I entered the store I could hear the brother crying and screaming as if he was being beaten. When the people in the store turned their heads toward the side door where the screaming came from the manager and told him to let the brother go and that I would pay for the items they claimed he had stolen. With this the pig turned five shades of red and said no, he might come in here again and steal something else and can't afford it. Not once during the whole incident did I see the pig take the items the little boy was accused of stealing. Black people should realize that we own nothing to this racist government and the fact that this pig businessman is not serving the true interest of oppressed people demonstrates he is only interested in making a profit.

Pigs like Renoldo and Jackels, like the store manager, should be run out of the community and the stores turned over to the people so they can be run in the true interest of all the people. A few minutes later a pig squad car drove up. A nigger pig and a White pig approached the store and Pig Renoldo came out pointing toward me saying, "arrest this guy for interfering with a police officer."I was charged with interfering with a police officer and disorderly conduct because I came to the brother's aid knowing that this pig would have beaten him severely over a package of cakes and a box of pencils. We must demand a halt to the mass robbery by the capitalist who own stores ans businesses in our communities. We must demand that the pigs stop their acts of aggression or face the wrath of the armed people.

DEAL WITH THE AVARICIOUS GREEDY BUSINESSMEN

Rockford, Illinois
Leon L.

THE PEOPLE OF HARLEM SPEAK OUT

"Brother, did you dig that jet plane that ole 'Tricky Dick' and his military arm, the Pentagon, donated to us?"

"Yeah man it's painted red, black and green and sits on a sandlot on 118th St. and 5th Ave. A million dollars worth of junk, just sitting there."

"Man, did you dig the way the photographers had to maneuver to get a picture of that 'Liberation' jet plane without catching the run down neighborhood?" - Where was this conversation overheard? In Central Harlem.

"Here people are living in and practically sharing their apartments with rats and roaches. Ceilings are falling down on them and floors are falling out from under them and what does Mayor oscar winning Lindsay do? Erect a 3 and 1/4 million dollar Olympic-sized outdoor swimming pool and an amphitheatre. They really do think that what we're all about is entertaining or being entertained". Spoken out in Marcus Garvey Memorial Park, formerly Mt. Morris Park.

"We do not like the Food Stamp Program. Why? Because it's not what they say it is. The first two checks are bonuses to get people used to them, but the rest are not. They did away with surplus food so welfare clients have to use that bi-weekly check that hasn't been increased for food, household supplies, school clothes, and pay rent, light and gas. The people are duped into believing this is good while in reality this is just another pacification program and not what we want and need. We want freedom and power and we're going to fight for it". Spoken out at Welfare Rights meeting at Harlem Hospital.



JET PLANE IN HARLEM

Historically, whenever Black people began to look around and see the conditions in which they were living, when they began to think and come to a rational conclusion as to who is actually responsible for their oppressive conditions and formulate a concrete plan of attack against them the man begins to instigate pacification programs.

The slavemaster pacified hundreds of thousands of slaves by telling them that being slaves is the natural order of things and the jack leg preachers pacified a vast majority of the rest by telling them that they'll be free in the great hereafter, but that other 1 per cent refused to be pacified, the Nat Turners, the Sojourner Truths, the Denmark Veseys.

The brothers and sisters in Harlem are part of that small percentage that refuses to be pacified, and the percentage is growing everyday. Four years ago when Lindsay donned his white-long sleeved turtle neck and walked through Harlem, that innocent, pure look was all that was necessary to soothe the anguish of the people, but now four years later his presence serves only to remind us that whether the words are those of Lindsay or Nixon, words mean little when uttered from the mouths of the oppressor.

The people of the Harlem community are saying "We want freedom, we want power to determine the destiny of our Black community and Nixon and his fascist regime endorse an Afro-American Congress of all the lackeys and bootlickers in the country. The people say "We want full employment for our people", and the Federal government opens up anti-poverty programs to curtail the revolutionary ferver. The people say "We want decent housing fit for the shelter of human beings fit for the shelter of human beings", and the government says "We'll send them fool niggers a red, black and green jet plan, and that'll cool them off". The people say we want education... that exposes the true nature of this decadent American society...our ture history and our role in the present day society and the Board of Education says you can have Black history as the government sees it. The people say "We want all Black men to be exempt from military service", and the pigs say either 2 years voluntarily or 5 years mandatory. The people say "We want an immediate end to police brutality and murder of Black people and Nixon says that we need 'law and order'.

To Nixon, his fascist running dogs; the Lindsays, Aliotos, Reagans, Rizzos, Agnews, etc., we say that in spite of and because of all of this "Niggers still want revolution". We will not let anything stand in the way of our freedom. We will not allow you to pacify us to death. We as a people realize that jet planes, swimming pools, amphitheatres, welfare programs, anti-poverty programs etc. are not here to aid us in our liberation struggle but only to stagnate it, so we say everything the system condones must not be in the interest of the people, so we oppose it, and everything the system opposes must be in the interest of the people so we condone it. If Richard Milhouse Nixon wants to do something to help us let him give us jets with motors in them and cease his imperialistic and capitalistic policies. Anything less than this would be compromising our freedom and we will not compromise.

ALL POWER TO THE PEOPLE MEANS DEATH TO THE FASCIST PIGS AND THAT'S ALL THEY'RE GONNA GET BECAUSE THAT'S ALL THEY'VE GOT COMING!!

Bernice Jones
Harlem Branch
Black Panther Party

PEOPLE'S RALLY BALTIMORE CITY JAIL

On Monday, September 1, 1970, the people of Baltimore joined together in front of the multistoned institution of so-called Social Rehabilitation – Baltimore City Jail. With shouts of "All Power to the People," "Death to the Pig," "Kill Warden Schonefield" and "Let the Madmen Loose" they shared their unity of determination with confined victims of Amerikkka war of color. They showed also their support for Panthers Larry, Eddie, Jackie, and Irving and they did not forget ex-Panther Charles Wyche or Melvin Johnson. The rally Monday lasted about 3 hrs. and was continued again Tuesday morning with picket signs and leaflets exposing Baltimore City Jail and its fascist warden. Also a constitutional registration information center was set up in front of the jail's entrance, where many people who were visiting their loved ones and friends had a first hand view of the Black Panther Party laying foundation for the manifestion of Point Number 8.

During the daylight hours we kept the number of people picketing to a minimum. But we were not allowed to do this in the evening because of the children from the People's Lunch Program. The children wanted the madmen out and that was that. They wanted to make sure that their protest was registered against the racist ruling class. The children sang revolutionary songs and marched. The brothers on lockup really dug this. On the first day of the rally the people had walked the whole length of the Baltimore City Jail and the adjoining Maryland State Penitentiary singing revolutionary songs which were chorused by the brothers who are confined. On the second day the brothers inside remained almost silent although they showed their support by waving clenched fists.

During the evening of the second day many people from the immediate Black community joined the rally watching and directly participating. This included 3 older brothers who had been dealing, rapping with them I pointed out their relationship with the brother behind bars. All three brothers were able to dig this and relate on their own personal experience in city jail.

This rally was the first in a series of rallies that will of the masses to the level of moving against the fiendish, hellish conditions that Black people are daily subjected to.

We know that this rally has not broken down the prison gates. But it has created enough light so those gates can be clearly seen. We know also that the revolutionary songs that were sung have some practical meaning. It is a combination of these things that have penetrated the steel and concrete to unify the cause of the prisoner in maximum security. It has clearly shown the oppressor that he will no longer mass plan the destinies of the oppressed people unchallenged. Most of all this rally has reminded the fascists of this land that we will not allow any of our members to be put to death by the fascists.

ALL POWER TO THE PEOPLE
FREE ALL BALTIMORE PANTHERS

Coates

Baltimore Chapter
Black Panther Party

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11 YEAR OLD BROTHER BEATEN FOR NOT SALUTING "THE SYMBOL OF FASCISM, THE AMERICAN FLAG"

We have made it quite clear that we realize the need for a new Constitution. A Constitution based upon administering a program representing the masses of the people. We do not want a Constitution that says that people, particularly Black people, can choose their own "worship", but this Constitution allows fascist elements to get away with stopping this free practice, such was the case during the months of May-June of the 1970 closing of the school year.

On September 7, 1970, a brother by the name of Ali Muhammed came into our Black Community Information Center and told us he had some trouble during the ending of the last school year, between his son and the people at both schools his son attended, in relation to the flag.

He told me that his son had been at the Dudley Street School and Sara J. Baker School, and was ridiculed and even beaten by a so-called female teacher. Ali told me that when these incidents had happened, first at Dudley and then at Sara J. Baker, that he just didn't know what to do. This will explain the long lapse of time between the time that he told me.

Ali's son was forced to move from Dudley School because he would not salute the flag. Ali knew that some measures had to be taken. So before enrolling his son, whose name is Wali, he carefully went to the administration body of Sara J. Baker and got a written agreement stating that Wali would not have to salute the flag, because he was of Muslim Religion (Orthedox). Thinking that he would not have anymore worries, his son Wali attended the first day of school. When it came time to salute "The True Symbol of Fascism", Wali would not, and for this, the teacher beat him, and then turned all the other kids in the room against him to such a degree that the world whip Wali with coat racks. Wali's back was bruised and all scarred.

This is a very clear reflection of the need for a new Constitution. History has proven that we have always been denied rights, that the Constitution is supposed to supply for us.

So, what I'm saying is that a Constitution written by the people will not justify an 11 year old getting whipped for not worshipping what has been proven to be a symbol of open terror waged against people struggling for self-determination, "The American Flag".

GET RID OF THE AMERICAN FLAGS IN THE BURNING REMAINS OF THE OLD CONSTITUTION.

BLACK PANTHER PARTY
Boston Chapter
Roland Chambers

WHILE THE COMMUNITY BURNS THE PIGS FIDDLE

"We want decent housing fit for the shelter of human beings."

For approximately one week the Carbondale Black Community became the re-incarnation of Nero's Rome. During that time five homes erupted into flames, and in every case the fire department was unable to adequately deal with the situation. The result has been a deeper edification (understanding) of Black people's deplorable situation, a situation whose foundation has been made thru four hundred years of oppression. Not only must Black people be subjected to indecent housing unfit for shelter of human beings, but now the government is moving to eradicate what housing there is for Black people. In essence Carbondale's City Council seems to be bent on playing a fiddle while what little benefits Black people have smouldered into flames.

To begin we must look at the context of the fire department. In Carbondale there are three departments, each furnished with two trucks. 24 hours a day there are two attendants. At the signal of a fire, one truck leaves taking the sole occupants with it leaving the station vacant. On any reported fire, two stations are supposed to go into action. Because Carbondale is a small city there should not be any problem of the fire trucks reaching an emergency area within a few minutes. Why then does the Carbondale Fire Department, over the years have such a pathetically putrid record in dealing with emergency fire cases in the Black Community.

For one thing, to operate a single fire engine efficiently, not two, but at least five men are mandatory. Mr. and Mrs. Mathis's home is a case in particular where an under staffed fire department resulted in her being left homeless. One part of the truck which must be continually checked is the gauger, there was no one available to keep check on the pressure gauger. The two firemen who responded to the emergency call were busily hosing the house from back to front when unexpectedly the water gushing from the hoses abruptly dropped to the pressure exerted by a water pistol. Also because of under staffing, what little was salvaged from the fire, had to be done by the bloods off the corner. They, in spite of no asbestos or fire proof garments entered the house to save what they could. One of these courageous brothers, James King, nearly passed out from smoke inhalation and had to be aided by his comrades. The brothers had asked for gas masks, but the firemen didn't know how to use them, nor where they were.

Which brings us to another part of the conspiracy to leave Black people homeless. In addition to providing fire equipment without enough men the city council ill-prepares its men with regard to proper knowledge required to deal with fires. For example, in addition to not knowing about gas masks, the department members had to be informed by the lumpen to cut certain wires in order to prevent the outbreak of an electrical fire. Quite possibly the prime reason for deficient fire fighting knowledge is that the city council has appointed a man as fire chief who has almost no experience in dealing with fires, but whose experience lies in the water department. He has worked with the fire department for only two years, yet he is a fire chief.

In addition to understaffing the department, and ill preparing the men the city council has jeopardized the safety of the Black community by staffing the department with racists who have no profound concern for the existence of Black people. Referring again back to the case of Mr. and Mrs. Mathis of the two firemen who responded to the fire, one was white. When the corner street brothers entered the flaming house to salvage clothing, furniture, etc., the Black fireman aided, but white racists, who do not have to live in the Black Community, were not going to risk injury.

So we at the Black Panther Party Community Information Center understand that the city council is not there in behalf of the Black Community. The only interest Johnson, Faton, and the rest of those blood sucking city councilmen have is their dedication to the misery of Black people. Another move to the eradication of Black housing is the city council's mysterious ineptness in dealing with slum landlords. Members of the fire department clearly know that if substandard housing is terminated, the probability of fires and its destructive capabilities would also diminish.

No, the Carbondale city council is not relating to the needs of Black people, it is only interested in the maintenance of the misery perpetrated against Black people for four hundred years. Carbondale's city council is only interested in giving back pay to pigs like Patterson and Hill who were suspended for beating up high school students; they were later reinstated. So what transpired is that the same city council which has unofficially sanctioned the burning of the Black Community, also officially sanctioned paid vacations for those law enforcement agencies who brutalize the youth of the Black Community.

The day of retribution is coming, however, for all pigs like those found in Carbondales' city council and that day is not in the distant future.

Don
N.C.C.F.-Carbondale, Ill.
Ill. Chapter B.P.P.
September 12, 1970

JOHN BEATEN BY PIGS



John Brown was standing inside of the King of Pizza on the corner of Washington and Boylston Streets in downtown Boston at 12 midnight when two racists pigs approached him. Brown began to walk away from these pigs when they began to spout some racist, degenerate statements such as "you niggers ain't no good". When Brown turned to respond, they began to beat him in the head and eyes, causing him to bleed profusely. Brown was beaten to the ground and dragged from the store. During the time of the beating, up until the time he was released from Station #1, Brown was never arrested or charged with having committed any crime. Neither was he allowed to secure any medical treatment until after he was released, when he received stitches under his eye and on his head.

This incident shows very clearly that these pigs had no regard for John Brown's human rights by the mere fact that they began to beat and harass Brown without provocation and to deny him medical treatment for the simple fact that he is a Black man, something that they cannot testify to being--a man. These pigs acted in a savage, cannibalistic manner, and when people act in this manner they must be treated in the only language that they understand -- the language of a gun.

When our people can be kidnapped off the streets, beaten and brutalized for no reason at all, and not be arrested or charged with a crime, we have achieved true fascism (terrorist activity). A society where the masses are controlled through terror and a complete disregard for human rights. Where constitutional rights are trampled on.

John Brown is only one victim of pig brutality and U.S.A. Fascism, in a sea of many. The Black Panther publishes some of the many incidents of oppression in order to show the American people how all of our problems are common problems to all Black and other oppressed people, and how we must develop an overall strategy to end exploitation and oppression perpetrated against our people.

Black people know that ultimately we must free ourselves with guns, but also, to secure our freedom an overall strategy and structure must be developed - a revolutionary people's constitution expressing the needs and desires of all oppressed people, laying a just foundation for the new world - life, liberty, and the pursuit of happiness.

LONG LIVE THE REVOLUTIONARY PEOPLE'S CONSTITUTIONAL CONVENTION

Boston Chapter
Black Panther Party

THERE IS NO JUSTIFICATION WHY PIGS SHOULD BE ALLOWED IN THE BLACK COMMUNITY

Black people have no rights that a pig is bound to respect. This principle of American society is practiced everyday pigs are allowed to run loose.

Such is the case of Alphonso (Fox) Myles of Inkster, Mich. who was only guilty of parking his car in front of his father's cab stand. When he parked his car, he was approached by two racist pigs, Dennis Darling and David Killins III, both of whom are newly acquired to the Inkster Pig Force. Darling oinked to the brother that he was illegally parked. Words were passed between the brother and the pigs concerning where he was parked. Darling soon got tired of vacillating the matter and struck Fox over the head continuously with his night stick and then after they had beat him unconscious, they handcuffed him and threw him in the car and started the process of keeping a nigger boy in his place. After the pigs saw how far they had gone they become frightened and took the brother to Wayne County General Hospital. Once there the brother somehow or another ended up on the ground and was beaten and kicked while people looked on.

The black pig Chief requested the resignation of Darling, and Killins was given four days off without pay and probation on the force extended for one year. Both were on probation. Darling was told he would be given a recommedation for any other field except law. Justification of Killins remaining on the force was that he proved his part was involuntary, since Fox kicked him first.

The Black Colony is so conditioned to the ways and tactics of the gestapo over the years that there are times when the only retaliation is to mumble among themselves ways to combat reoccurrences or run home as fast as possible so they won't get involved. This is not the decision of the people, but that of society who has taught them the pig is truly the protectors of liberty and justice for all. Supposedly they have our best interest and welfare at heart even when they bust brothers and sisters on trumped up charges.

Number 7 of the 10 point platform states "We want an immediate end to police brutality and murder of black people". The only way to end brutality and murder is to put the theory of community control into practice and this must be obtained through any means necessary regardless of the consequence.

ALL POWER TO THE PEOPLE
Linda
N.C.C.F. Detroit

PHILADELPHIA FASCIST MURDER 15 YEAR OLD YOUTH



ROBERT CLARK

Every time a pig is executed in Philly, Bozo's boars (Rizzo's pigs) unleash a campaign of massive retaliation on the Black colony. On January 31, 1970, a pig named Clone was executed by some righteous brothers(s) or sister(s) and the month of February flowed red with the blood of brothers maimed and murdered by Philly's finest. The last weekend of August 1970 saw the execution of a Fairmount Park pig and again the Black community was victimized and terrorized by Bozo's gestapo. (Note: This does not mean that the Black colony is free from terrorist attacks from the pigs in between executions of pigs. I only want to say that the pigs intensify their bloodthirsty actions after the execution of a fellow oinklet.)

In the most recent rampage, Robert Clark, age 15, was one of the victims of pig vengence. According to the pigs, Robert and another brother were riding in a stolen car. (We know that they were stopped because they were Black.) Supposedly they were stopped in the vicinity of Perth Street and Columbia Avenue, the brothers were stopped by pig Ismael Plaza whose pig senses detected that the car they were in was stolen. This is especially amazing in view of the fact that the owner of the car had never reported it stolen.

Plaza became judge, jury and executioner and enacted the death sentence on Robert Clark. Eyewitness accounts differ at this point. Most witnesses said that they saw Robert run and that pig Plaza shot him in the back. The pigs said that Robert had a knife. One thing about these knives -- quite often -- too often (as in the murder of Harold Brown by pigs in the February bloodbath mentioned earlier), pigs "justified" their cold-blooded murders by saying that the brother involved had a knife. The magical thing about these knives is that the pigs always see them, but eyewitnesses never do. The pig press couldn't even get their lies together about this magical "knife". One paper oinked that it had been a long fishing knife, another oinked that it was a penknife. His mother said that as far as she knew, he didn't even have a knife. The story gets even more ridiculous when you consider the fact that if Robert had a knife, he would have been shot from the front, not from the back if he was attacking the pig with it.

Anyway, the pigs never bothered to inform Robert's mother of their foul cowardly deed. Her sister-in law, who lives in the area of the murder heard what happened and called her. Upon visiting the 26th pig district, the pigs told her that they were investigating it (we know how pig investigations go) and that they were doing everything "humanly possible" (which is impossible for a pig because a pig ain't human). She hasn't heard anything from the pig department since then.

Mrs. Clark and three other relatives went down to the morgue to identify Robert's bullet-torn body. They weren't shown the actual body, but its image (head and neck and chest) on a TV screen. In spite of the fact that the coroner oinked that Robert was shot in the neck, there was no bullet hole to be seen. Being that Robert was not deformed, we can assume that the coroner didn't say "back of the neck" or that Robert was shot from behind in true cowardly fascist American fashion.

We will not let the pigs complete their plan of genocide on us. We will no longer let these monstrous beasts murder us in our sleep and shoot us down from behind (or from the front)! The pigs are oppressing us by the power of the gun and by the power of the gun we will be liberated.

By organizing into armed self-defense groups we will match the oppressing pigs bullet for bullet.

"For the salvation, liberation and freedom of our people, we will not hesitate to kill or die!"
a bullet in bozo's BRAIN!

DEATH TO THE FASCIST PIGS!

Lynn Smith
Philadelphia Chapter
Black Panther Party

BUFFALO N.Y. PIGS SUBJECTED BROTHER TO CRUEL PUNISHMENT



WE WANT AN END TO THE POLICE BRUTALITY AND MURDER OF BLACK PEOPLE. This is the seventh demand of the Black Panther Party Platform and Program. The Buffalo National Committe to Combat Fascism demands this of the Buffalo Pig force. We also notify the pigs 12th precinct that their treatment of Willie Crawford will not go unrevealed. We also notify their flunkies, the news media, that their false interpretation of this event will not go uncorrected. For too long the fascist pigs of Buffalo have escaped punishment for the injustices and murders of Buffalo's Black brothers and sisters. For too long our newspapers, radios, television stations, and public lackeys, have shielded these blood thirsty maniacs from public rath. Willie Crawford's story should put a fire in the souls of the brothers and sisters of Buffalo, a fire that won't be smothered until this and all other attacks on our people are avenged and the oppressors are dealt with.

At approximately, 2:30 a.m., September 3rd, Willie Crawford and Harold Smallwood were walking home. These brothers were in their community, on their streets minding their business. At Carlton and Jefferson a precinct 12 car pulled up three false charges of creating a disturbance and drunk and disorderly, the pigs pushed them against the car and searched them. All the time trying to provoke the brothers so they would give the pigs a reason to shoot them right there. Not being able to do this they continued trying to find something to pin on them. While doing this the pigs asked them their names and when Willie told them his name they told Harold he could leave. The pigs oinked that they remembered Willie from a case where Willie was shot in the groin by a woman. After joking dirtily about the brothers misfortune they proceeded to search him to find kidnapping material. Not being successful in this they said the Dordins, sedatives, he had were dangerous drugs. Since these fascist knew about his being shot, they knew these pills were prescribed to Willie by a legal doctor. Ignoring this they kidnapped him and took him to racist pig precinct 12.

When the pigs got Willie to the precinct they said and did everything to rob him of his Black pride and spirit. To rob him of his manhood further they ordered him to strip at the front desk. Brother Willie asked why he had to undress. They oinked "Don't get smart nigger, strip; He asked to be moved to an area more private and the pigs started taking off his clothes themselves.

When Willie was standing in the middle of the floor naked they laughed and threw him and his clothes into a cell. While he was getting dressed a pig threw buckets of water into the cell . Knowing this was a "Keep nigger blood stains off the cell tactic" Willie began knocking on the wall with his shoe to get the Captain. One pig then oinked "No one is going to help you in here."

Five minutes later these pigs; Stephen Matthews, Salvatore Pelermo, and James Miller, entered the cell and attacked Willie. One pig came in swinging his blackjack and struck Willie in the shoulder. In defense, Willie tried to stop the racist dog. Seeing his fellow pig was in trouble another grabbed Willie's neck and choked him so hard it put scars on his throat. When Willie defended his self further, a barrage of sticks followed knocking him out of the cell. Out of the cell, Willie was at the mercy of the pigs vicious blows. They kicked him in the groin, punched him in the stomach, and clubbed him in the head. Thinking that now he would do what they wanted they tried to force information of the Buffalo N.C.C.F. and of gang robberies of the city's capitalist. Finding this Black brother was to strong to be broken they threw him back into the cell, semi-concious.

Later these same three pigs dragged him out of the cell and railroaded him to Dieconess Hospital to cover up the evidence. Even then the murderous dogs could not resist punching and kicking Willie. Inside the hospital, the pigs threatened him to keep him quiet. One said, "I promise you that one of these bullets I have here are for you." Another said "Why don't you die nigger."

The doctors said Willie should not be moved for at least four days. The next day he was railroaded off to Myer Memorial hospital. Somehow the pigs made the doctors change their minds, the reason is unknown.

After Myers and dressed only in a hopital robe, two well known lackey Black pigs railroaded Willie to pig headquarters. The next day Willie who is on Welfare was charged with drunk and disorderly, having a dangerous drug, possession of a weapon, second degree assault, and escape. These charges, plus a possession of a small amount of marijuana, are all lies compiled by the fascist pig force, racist court and published by bias news-media.

Wille's family, who had been told by pigs, that he was in a car accident, paid the $1,000 ransom the pig Judge placed. His family also told him that on the same day he was kidnapped his television was ripped off. Forrest Rogers, after seeing the scars and 70 stitches broken nose, and cut eye Willie got by the pigs, brought him to the N.C.C.F. office on East Ferry.

What happened to Willie Crawford is only one of many incidents of pig brutality in Buffalo. They have been harassing and murdering our people, in and out of jail, for too long. Pigs have outwardly forced their racist and fascist mannerisms on our Black community for years. The Black colonists and the Buffalo N.C.C.F. will not let these attacks go unpublicised or unavenged nor will they buckle under pig pressure and news-media brainwashing.

ALL POWER TO THE PEOPLE!
DEATH TO ALL FASCIST PIGS!

T.D. Fulton
N.C.C.F. - Buffalo , New York

RENT-A-PIG HARASSES COMMUNITY WORKERS IN L.A.

Friday, September 11, Gail and I were selling papers in front of Boy's Market on Tamarind Blvd. in Compton. While selling papers and explaining to the masses how the system is exploiting Black people, the security guard, enraged at the truth being told, decided to try and intimidate the people. In short he showed his piggish nature to the people.

Two young bloods that we knew came over to us and we started rapping about what was happening in the community. They were telling us how young people like themselves dug the Black Panther, Black Community News Service, and the people's struggle for liberation when a rent-a-pig came out oinking, "You boys can't park your bikes in front of these doors if you're not buying anything." In reality they were parked on the side of the doors. Seeing this I asked the pig why couldn't the brothers stay where they were since they weren't blocking any traffic. The racist pig began to oink more madness. People began to gather around to check out the scene. So the rent-a-pig gave a warning threat to scare us. He told us that if we didn't shut up he would call the Compton pig department on us. We related to the people what was going down. When this pig saw that the people were relating to what we were saying and that their attitudes were changing toward him, this pork chop oinked away, quick, fast, and in a hurry.

He then attempted to have us removed from the market by going to the manager with his so-called problem. There he met with surprise, the managers and employees that buy the newspaper every week. The rent-a-pig was told in no uncertain terms that no pigs would remove us from the store. All this pig could do was watch us in frustration, as we continued to educate the masses. He had finally realized that he would be dealt with by the wrath of the people if he moved to harass us.

We were correct in having concern for our young brothers in seeing that their rights were not violated. It was correct for the people to support the Party and see that justice was done. People have to begin to relate to protecting their rights and the rights of our people. The people have no rights which the oppressor is bound to respect, nor will he respect their rights unless he is met and dealt with by the wrath of the armed people.

DEATH TO THE FASCIST PIGS

Southern California Chapter
Pat Thomas

WELFARE AID: A NEED AND A MUST

On Aug 26, 1970, the welfare recipients of most of Pulaskii county met and went to the welfare office in Little Rock to voice their just demands for money needed to supplement their need for furniture, clothing for their children, etc. The money that is supposedly not available for such operation as this is stored up in what the welfare agency calls an emergency fund. This emergency fund is supposed to be used only in the case of an emergency such as fire, tornado, theft etc.

The contradiction however is that the poor oppressed Black community all but exists in a state of emergency at all times. When one walks or rides in a community such as the East End or College Station, he can very easily see the dire need of some kind of aid whether it be tagged as emergency or not, that these poor oppressed people should have.

The more time spent on discussing the matter, only brings more depravation and discouragement among the poor, as to how actually could they themselves relieve the agony of wanting and longing for something that is really needed. Almost continuously they have to listen to the oinks of a pig such as Blaylock. This fool has the nerve to say that the people actually don't need what they say they do when all the time one has only to look and very easily come to the conclusion that they do.

Although the people themselves, being victims of the most treacherous crime in history, may not with distant foresight see the avenue in which their life, their destiny, in fact their entire fate, has been designed by the greedy avaricious capitalist pigs to travel. They by just demanding what they believe to be right for them to have, are carrying on a revolutionary act, thereby directly striking back at their common oppression, and oppressor.

The greedy businessmen who would set their places of business up within the Black community know very well that the people are human, and capitalize on this very natural phenomenon by selling the people luxurious looking merchandise at a price that doubles the amount that it's really worth. These same greedy pigs, by their nature as a racist, then join hand in hand with their lackey public administrators, such as Blaylock, to systematically denounce any plan by the poor oppressed people. These schemes by the oppressor will no longer work. The people have gotten hip to the plans of deceit, and are now moving in a manner to crush these pre-planned geñocide schemes on Black, as well as all other poor oppressed people in this country.

The Welfare Right Organization are justly within their rights to dissent, when they move so beautifully to demand wholesale recompensation for the worth of their people.

The Ark. Black Liberation Front, and its components, firmly supports the just struggle of the Welfare recipients to get what is rightfully theirs, and denounce strongly any and all acts by the affluent capitalist class oppressors to reduce the peoples valiant cry for freedom to another one of their side-jokes, as they continue to oppress the masses of our people.

We say to the Welfare Rights Organization, right-on! and on with the struggle for complete victory over the Fascist-Racist! welfare agency which has no feeling or sympathy whatsoever for the poor oppressed people who they are supposed to be serving.

"All Power To The People!"
"The poor oppressed welfare mothers, fathers, sisters, and brothers, are striking back at their common oppression, and oppressor."
"Resist to Exist"

Ark. B.L.F. Comm. Inform. Center
Shoo-be-do

CONFRONT THE WAR CRIMINALS

Stockholders of the Honeywell Corporation, producer of the "guava" anti-personnel fragmentation bomb used against civilians in Indochina, and the General Electric Corporation, nation's second largest war contractor, meet in Wilmington at 9:30 a.m., Friday, Sept. 18th to discuss and ratify a merger of their computer divisions. The new company formed by the merger will be Honeywell Information Systems, the second largest computer company in the world, next to International Business Machines.

The meeting was the first Honeywell stockholders meeting held outside of Minneapolis, Minnesota. Their last one was quickly adjourned by company directors who opposed the three demands put forth by the Honeywell Project, a group of stock-proxy-holders and community people demonstrating for radical changes in the Honeywell Corporation to make it serve the people instead of the ruling elite.

1 – Honeywell Corporation must stop making the mass-murder bomb and all weapons production (37% of their total annual sales

Cases of massive civilian casualties from Honeywell's weapon have been documented by the International Red Cross. The bomb does not damage buildings or entrenchments; it is effective only against people in open areas – mainly civilians. It appears that the bomb was designed specifically to terrorize and weaken the resistance of the Indochinese people to the war – that is, for a programatic genocide!

2 – Honeywell Corporation must reconvert to socially beneficial productions without loss of jobs or job security.

3 – Honeywell Corporation must be controlled by its employees and the communities where it is located (in sixty-four foreign countries and in the United States).

General Electric, an even larger giant in the production of war material and weapons systems, makes equally hideous counterinsurgency devices like the "people sniffer", which can detect invisible underground or covered guerrilla camps, hospitals, schools and shelters by the presence of human sweat in the atmosphere. This instrument is not being saved for the Indochina area alone!

GE, no stranger to Justice Dept. anti-trust convictions for price fixing, has conspired in the past with such infamous war criminals as Alfred Krupp, convicted at Nuremburg for using concentration camp slave labor in his factories. Honeywell's anti-personnel fragmentation bomb is undisputedly used most frequently and consistently against the civilian poor in Indochina, a clear violation of the Nuremburg Agreement Article 6(b) which defines war crimes as "including (but not limited to) attacks on and murder of civilians during wartime" and Article 6(c) which states that "accomplices participating in the formulation or execution"... of attacks on or murder to civilians are ... "responsible for all acts performed by any persons in execution of such crimes". Honeywell's claim that its production of such weapons is "entirely appropriate and correct ... as a matter of good citizenship," is again responded to by the Nuremburg Charter which "recognizes that one who has committed criminal acts may not take refuge in superior orders nor in the doctrine that his crimes were citizenly acts of the state." This merger brings together two of the nation's leading war criminals while Mitchell's Just-Us Dept. persecutes Black Panthers and white radicals who are "conspiring" to make these corporate powers responsible to the people.

The fact of DuPont control over key area institutions such as the newspaper and the University, as well as the conformist behavior of the large block of DuPont's employees makes Wilmington a relatively "pacified" city – speaking of the white community Only. The criminal directors who benefit by producing the mass-murder bomb used in Indochina hope that this will be a safe place to hold their meeting.

We call for a demonstration in support of the three demands of the Honeywell Project and the eventual defeat of Amerikan Korporate power. The great computer technology of Honeywell and General Electric is more than potentially dangerous when directed by genocidal maniacs. Picketing, leafletting and various creative actions intended to dramatize the horror of Amerikan Korporate interests in death and control over life of every person on earth will start at 8:30 a.m. Wilmington Trust Building, 100 West 10th Street, Friday morning, Sept. 18th.



CHARLESTON, WEST VIRGINIA BESIEGED BY BULLDOZERS AND PIGS

The continuous cry for housing has become a scream for help in the city which is known as "The Chemical Center of the World".

Charleston, West Virginia is located along the banks of the Kanawha River. It is the one of several major chemical plants including: a rubber plant, a Libbey Owens Glass plant, a Federal Ordinance plant and Dupont Chemical City. Yet, in the midst of the vast supply of prosperity, Blacks are being forced to live in conditions similar to those of migrant workers. They are being forced out of their homes and out of their communities and into living conditons fit only for "pig".

The people are being oppressed by local Urban Renewal pigs and by th State Road Commission, which is headed by a pig named Ritchie. Also included with the URA and SRC is the West Virginia Water Company, which owns a certain portion of unused land in the Black community which is being confiscated by pigs.

These three major organizations are committing massive genocide on the Black people in Charleston, W. Virginia. Most of the homes in Charleston's "Triangle" District, which is a Black community, are being bulldozed in order to make way for an inter-state highway. The homes which are not being taken by the SRC are being devoured by the URA.

The fact that all the people who are being uprooted in the "Triangle" are not being placed into decent, sanitary and safe housing is in direct violation of federal laws. The law states that if U.S. money is used in a project, the displaced householders must be moved into thoroughly inspected buildings. This is not being done in Charleston. Blacks are being uprooted with no place to go but out of state.

This type of Black removal cannot be allowed to continue. We must intensify the struggle in Charleston and rid our communities of bulldozers and pigs.

Another example of how Blacks in Charleston are being repressed happened on July 8, 1970. At approximately 8:30 a.m., the pigs vamped on the "Triangle" District and arrested ten Black youths on charges ranging from disorderly conduct to inciting a riot. In reality, the only crime committed was that of attempting to prevent further destruction of homes in the last stronghold of Blacks in Charleston. The people were threatened with tear gas and those arrested were sprayed with mace. After the remaining people were forcibly dispersed, the bulldozer moved in as it was protected by the entire detective squad from the local pig pen. Nineteen homes were destroyed by the bulldozer within a period of four hours. One of the homes was still occupied by a Black family.

After the trials and hearings, eight of the ten people arrested were fined. The other two are now under $10,000 bond and are awaiting trial. One brother, Emerson Reed, is being railroaded by the Chief Pig in Charleston. He has been the target of continued pig harassment. He has been victimized by the White press and has been labelled to be an "out and out troublemaker". Brother Emerson Reed has exhibited revolutionary strength and power against a city government which is the epitome of racism and fascism. His strength and courage are to be admired. Brother Reed's trial is to be held in early September. He needs as much support as possible from all concerned Black people.

In Charleston, the Black people are going to have to realize that our strength is in our unity.

ALL POWER TO THE PEOPLE

BLACK PANTHER PARTY
Washington, D.C.
Barbara Womack



PICK UP THE GUN

As we know, under this racist system of Babylon, that their main goal as it has always been is to keep Black people oppressed. The pigs try to put all Black people under maximum security (jail), if we refuse to accept this decadent system. First they trump up some charges in order to put you under maximum security so they can then railroad you through the court system. And under this court system the Black man has no rights.

An example of this piggish behavior happened August 27, 1970 in the South End section of Boston, Mass., which is one of our well known colonies, where the pimps, players, pushers and pro's make their scene. Two brothers Lester Carvin (21) and Willy Carvin (17) were standing in front of the Rainbow Lounge when these racist dogs began their usual harrassment of Black people.

On the way to the pig pen these dogs decided to take a scenic tour in order to brutalize these bloods. Lester Carvin was attacked by these dogs enroute to the pig pen. After they were put under arrest, these dogs began searching them. These Bloods were charged with posession of narcotics, even though they had no narcotics on them. This is just another act of these fascist dogs attempting to railroad our people through the court system.

It is quite evident that these pigs will not give us our most basic human right, the right to live. So the people must now rise up against the decadent system.

These particular pigs are part of the fascist Bureau of Narcotics. When they reached the gestapo headquarters, they were taken to Tony Linsky, the bald headed fool, where he began his intimidation and interrogation without success.

We will not allow these dogs to interrogate and intimidate us for their piggish desires. We will not allow them to railroad us through courts. We as people will set more examples, as the one Jonathan Jackson, William Christmas, Ruchell McGee have set until we are free.

ALL POWER TO THE PEOPLE
Denise
Boston Chapter B.P.P.

PEOPLE UNITE TO DEAL WITH THE SLUMLORDS

The Boston Chapter of the Black Panther Party's People's Free Health Center, together with a group of welfare moms, recently conducted a series of lead-poisoning test for approximately 300 kids. The test results showed that over 30 of those tested had been infected by lead poisoning. Since lead poisoning is known to come from eating paint, we can clearly see the total dis-regard for our well-being on the part of the racist slum landlords, who use the cheapest type of paint to cover the cracks and peelings in our homes.

This tool of genocide is of course only one of the many aspects of indecent housing which Black people are forced to live under; conditions which are killing us everyday such as rats and roaches that crowd us out of our own homes; inadequate plumbing, no heat--the list is endless.

The residents of the Mt. Pleasant area of Roxbury recognized the substandard housing they were forced to live in as the blatant attempt to commit genocide against Black people and they decided to move against this attempt by calling a rent strike against their greedy, racist landowner. They realized that with the power of the people united against these pigs they would be able to force this fool to take the necessary steps to provide them with a decent home.

We know that once we have these pigs backed up against a wall, they will strike out blindly in attempts to regain the control they once welded over us. Since the beginning of the rent strike, several people have received eviction notices and a Black lackey is being used as a front for the owner to try to trick people into paying him. These tricks of course no longer work against Black people and the residents of Mt. Pleasant Avenue stand firm in their determination to change their living conditions.

Because these people are aware that the law of the pigs were never intended to serve them but instead were made for the sole purpose of protecting the interest of the pigs and keeping poor people under their control. The people of Mt. Pleasant are fully aware that the oppressor has no laws which the oppressed are bound to respect, so later for these jive courts and their eviction notices. The people of Mt. Pleasant are standing in their right to have a decent home, fit for the shelter of human beings.

ALL POWER TO THE PEOPLE!
DEATH TO THE PIGS!

Diana
Boston Chapter, B.P.P.

LLOYD DAVIS KILLED BY AVARIOUS BUSINESSMAN

Down in the South End of Boston, where the inhumanity of the deadly system of capitalist imperialism is truly shown, pig store owner, Ernie Friedman killed a brother, Lloyd Davis, of Dorchester as he and an unknown, who escaped, were trying to take back what the greedy businessman had been stealing from the people of the South End. But in the process he has paid his due by the brother who escaped. When the fascists of the Boston pig department arrived, they stumbled over Lloyd who lay bleeding in the street, to get to pig Friedman. But the pig's efforts to save their own kind were to no avail as Friedman was found dead in the back of the store; Camden Loan Co. at 802 Tremont Street.

Friedman had a notorious reputation about Mass. Ave. and Tremont Street. He walked around the neighborhood brandishing a revolver on his hip, threatening, intimidating, and stealing from the people in the community. Last year he killed an unarmed 16-year old brother, Floyd Davis was found unarmed, dead in the street. The Boston pig news media has attempted to portray Friedman as the friendly store owner but Friedman was a criminal and the people of the South End know this.



Lloyd Davis, killed in South End of Boston.

Because of the conditions caused by the racist power structure and this fascist system of imperialism, Black people are placed in the position of a day to day, life-or-death struggle to survive. Even Friedman himself was a victim. But when dealing with pigs on all levels, it's stick it or give it up because Blacks are placed in the position where we have as Huey says, "a choice between Reactionary suicide or Revolutionary suicide." Either we stay in this pit of hell or die trying to get out of it. Friedman was a pig. We must, and we have to deal with fascist police, lying politicians, and greedy businessmen, and the murderous imperialists who control our lives, the same way Friedman was dealt with.

ALL POWER TO THE PEOPLE
DEATH TO THE FASCIST PIGS
Mike Ellis
Boston Chapter
Black Panther Party

NOTICE:

Two brothers of the "Milwaukee Three", Jessie White and Booker T. Collins, were railroaded through court Tuesday, September 23, 1970. They were both sentenced to 30 years in jail (maximum) for supposedly of the charge, attempted murder. The other brother is at-large. (A more detailed report will be in next week's paper.)

MEMBERS OF DETROIT N.C.C.F GET SUBPOENAED

Detroit fascist pigs have stepped up their foul attempt to destroy the N.C.C.F. here. These low-lifed pigs have issued subpoenas to members of the N.C.C.F. and also people who were functioning with the committee. A subpoena is a doctrine that is reating indirectly to 20 years in the pig pen. These lying bafoon pigs will oink to those who are subpoenaed that anything they say regarding information about te Party will not be held against them. This is a lie and denies you your Constitutional Rights. The gestapo pigs ran down that if you lie in any fasion you will quickly get five years for perjury on the witness stand. So looking at the situation that exists, if one question is asked and you relate t it by answering, you will have to answer all other questions that will railroad you deeper and longer in the pig's pen. This indicates how these inhuman sadistic pigs of the power structure will carry out their repressive laws to their own interest.

We, members of the N.C.C.F., cannot and will not endorse these pigs railroading any members of the National committee to Combat Fascism or Black people period to their pig pens. Recently Malik McClure, Chuck Holt and other members have been issued subpoenas to appear before the Grand Jury. These brothers are true servants of the people. The people are aware of this and the fascist pigs are aware of this, and therefore they are attempting to remove these dedicated revolutonaries off the streets of Babylon. These revolutionary brothers had to appear in court August 19, 1970, before the Grand Jury. The fascist pigs have oinked there would be no lawyers to represent them. This shows how these pigs of Detroit are intensifying the struggle against the people. The people in general and the Black Panther Party and N.C.C.F.'s in particular.

Recently Don Berry, an agent provocateur who is following in the footsteps of pig George Sams, testified in Washington, D.C. against the Black Panther Party on a national scale. He testified that the Black Panther Party is ripping off pigs for the revenge of Fred Hampton and Mark Clark's deaths. This fool who functioned as a community worker before the Black Panther Party chapter was closed here in Detroit, he was purged in 1969, has told lies on top of lies about his being Defense Captain and that he was in charge of teaching comrades how to use different weapons. This pig agent, Don Berry, just came around the office to get 25 papers and then couldn't relate to the people with those few. He was purged for not serving the people and showing contempt for the comrades. There is no room in the people's Party for non-functional people.

Pig Don Berry now carries a gun which was issued to him by the fascist pigs. He knows that he has lied against the people's Party and the people here in Detroit know he has lied. No Party member or people that function in its organizing bureaus carries a weapon-period-while serving the people through means of selling the papers.

Detroit gestapo pigs are subpoenaing brothers and sisters that stay in the surrounding area of the Black Community Information Centers of the N.C.C.F. here. The people here of the community that receive a subpoena should immediately contact the Nationa Committees here in Detroit. We will supply legal aid. Right On!

DEATH TO THE PIGS

DARE TO STRUGGLE AND DARE TO WIN

ALL POWER TO THE PEOPLE

N.C.C.F., Detroit, Michigan
Lonnie

FREE JOHNNY VIERRA



Shackled---Johnny Vierra, Political Prisoner, New Bedford

"The prison cannot gain a victory over the political prisoner because he has nothing to be rehabilitated from or to. He refuses to accept the legitamacy of the system and refuses to participate." (Quotation from Huey P. Newton).

Of the 22 brothers and sisters kidnapped by the criminal New Bedford pig department on July 31 in an early morning raid on our National Committee to Combat Fascism, three remain captured. "Big Bob" Heard, Johnny Veirra and Petey Almeida are upholding the standards of revolutionaries refusing to be co-opted by the exploitative, dehumanizing penal system, and readily accepting whatever consequence in order to maintain their self-respect and human dignity.

Comrade Johnny Vierra, like many other members of our Party, reached the conclusion to get down and dedicate his life to the struggle for the survival of our people, while serving a six-year sentence Walpole and Norfolk. The repressive conditions within the prison system and the forces of reaction without which lead to his imprisonment caused Johnny to make that decision. Johnny understood the necessity Malcolm saw for a strong organization in which to unify our strength. Therefore, after being released on parole, Johnny came to the Black Panther Party to give all his time and energy in the service of the people.

Johnny possessed boundless energy with great initiative and enthusiasm in any task necessary. He soon earned the love and respect of his comrades and the people in our community. After the rebellion and death of Lester Lima in New Bedford, a city which has the highest unemployment rate per capita in the country, the people of New Bedford asked our Party for assistance. Johnny is a native of New Bedford and was instrumental in setting up the N.C.C.F. there. The response of the community was so great that racist dog Mayor Rogers sent his gestapo troops into the Black community in an early morning raid in an effort to stop the work that our brothers and sisters were doing for the people.

Johnny was among those kidnapped; and as a result his parole was revoked. (The Massachusetts Parole Board conspired much the same way as did the Adult Authority of California in their attempts to silence our Minister of Information, Eldridge Cleaver.) Johnny was returned to Norfolk but there is a qualitative difference in the consciousness of our comrade. For now Johnny is armed with the teachings of our Minister of Defense, Huey P. Newton inspired by the spirit of the people, and dedicated to the destruction of the enemy who oppresses us.

He is now attempting to expose the exploitation of labor within the penal system and show the other brothers methods of resistance. Our Minister of Defense, Huey P. Newton set the example by refusing to work for less than the minimun wage for himself, as well as all other prisoners; and Johnny is following Huey's example. He has been put into the hole and is resisting all the atrocities that go with it. But he remains firm in his convictions and stands resolutely by the principle of maintaining his human dignity regardless of the consequence.

ALL POWER TO THE PEOPLE
FREE ALL POLITICAL PRISONERS

Audrea Jones
Boston Chapter
Black Panther Party

THESE PUPPETS OF THE POWER STRUCTURE HAVE VERY VIVIDLY SHOWN US, BLACK PEOPLE HAVE NO RIGHTS THE PIGS ARE BOUND TO RESPECT

The fascist pigs of Detroit have repeatedly roamed Black communities in search of victims, unleashing their sadistic desires and violence, harassing and brutalizing them under the guise of "law and order." For whom? For the people, in the name of "justice?" How is justice being done, when we can no longer walk the streets of our communities safe from fascist pig oppression?

These racist puppets of the power structure have very vividely shown us, we have no rights they are bound to respect, not even human rights. They have unnecessarily invaded the Black community under the pretense of decreasing crime, when they themselves have committed the largest crime against Black people and those who oppose their vicious tactics. Everyday we become victims of attacks, and are subjected to illegal and unjust arrests, based on trumped up charges.

Such is the case of brother Cliff Nance, N.C.C.F. member, and his encounter with fascist pigs, here on the Westside of Detroit. Cliff had served time in prison and was out on parole at the time the incident occurred. When he left prison, he started functioning with the National Committee to Combat Fascism serving the people wholeheartedly. He worked with the Lunch Program and Liberation School for Children and related very well to the people in the communities. Cliff proved to be a dedicated warrior; sincere in the struggle to liberate the people from oppression here in fascist America.

The pigs occupying our community know that anyone functioning with the Party wholeheartedly is capable of serving and educating the people, which in itself poses a threat to their very existence. They knew that what Cliff had learned would go even further, on to the people of the communities and then some. So that they decided to take this brother off the streets of Babylon.

He had just left the N.C.C.F. Information Center and was walking home. At the time the pigs were patrolling the area, when a shot rang out and Cliff not knw knowing who was shooting at whom, ran for cover. The pigs in the immediate area opened fire upon him, chasing him down an alley, where the chase ended and Cliff was arrested and charged with B & E (Breaking and Entering) and taken to the 10th precint.

During the same night the B & E charge was dropped and then they slapped a hold on him for violation of parole. The idea was to get Cliff down there on any kind of charge so that these fascist, racist pigs could return him to maximum security, regardless of the charge issued. The pigs, knowing the B & E charge wouldn't hold him for long, threw the violation of parole on him because they could not relate to being exposed as the low natured beast that they are.

The fascist power structure has already decided to annihilate the Black Panther Party and its Organizing Bureaus, and these moves endanger the very lives of each and every member. We are constantly being subjected to pig harassment and always under their surveillance. In their attempt to destroy the Party, the pigs believe that by unjustly arresting its members and railroading them through their fascist courts, the Party will fall apart. But Cliff, along with all revolutionaries, will continue to serve the people whole-heartedly and wage the struggle for liberation for all people of color the world over. And as for the pigs in our Black communities, they must cease their wanton murder and brutality or face the wrath of the armed people.

ALL POWER TO THE PEOPLE
DEATH TO THE FASCIST PIGS
Detroit, Mich. N.C.C.F.

COLUMBIA POINT CONCENTRATION CAMP

For 15 years Columbia Point has been the center of inhuman living conditions for Black people particularly and people that are poor and oppressed in general. When this peninsula of hell first opened, it was the scene of continuous racial conflicts. Whites greatly outnumbered Blacks and it was rare indeed when a brother or sister could walk from one end of the Point to the other without being called a nigger at least once. White racists were everywhere and they would team up and attack a lone Black. If they felt really confident and had 10 or 20 of them they might even attempt to mess with two bloods at once. That kind of racism at the Point has stopped. Blacks now occupy the great majority of the run down, delapidated apartments and the Whites have moved back to Corchester, South Boston or wherever they could to escape the entrapment and the niggers at Columbia Point. We can now realize the great extent that capitalism breeds, nurtures and thrives on racism.

Columbia Point Housing Project is virtually an island, extending from South Boston out into the Atlantic Ocean. It is completely isolated from all other residential areas and there is only one road that leads into and out of the area.

Because of this remote and isolated situation, Columbia Point is the perfect geographic location to concentrae a large percentage of poor, Black and Puerto Rican inhabitants. These groups are now antagonistic towards each other, divided by petty bourgeois aspirations handed down by the ruling class. What some of these brothers and sisters fail to realize as they aspire to occupy administration positions within APAC, Tufts Medical Center and other government funded programs at Columbia Point, is that the division is created purposely to undermine unity and strength in this concentrated area.

We will not allow the pigs of the power structure to divide us in order to conquer us. Our struggle has moved to a higher level and we will write up a new Constitution and we will implement our Constitution and destroy this racist, criminal society.

ALL POWER TO THE PEOPLE
DEATH TO THE FASCIST PIGS

BLACK PANTHER PARTY
Boston Chapter
Juno Irving



INTERNATIONAL NEWS

DENUNCIATION MADE BY MLLE NGUYEN THI HONG A VICTIM OF U.S. PUPPET PRISON REGIME

I am Nguyen Thi Hong, 33, living in Tran Quang Khai Street, District I, Saigon. I was arrested, tortured and incapacitated by the U.S. and puppets. Below are some of the innumerable crimes committed by them against my person.

By about May 1953, at Bao Sen, Cho Quan, fierce fighting broke out between Ngo Dinh Diem's troops and those of various religious sects (such as the Binh Xuyen, Cao Dai, Hoa Hao...) which caused thousands of dead and wounded among the civilian population. More than 30,000 houses were reduced to ashes, leaving tens of thousands of people homeless and reducing them to utter misery.

The population in the neighboring localities brought building material, clothes, food...as relief to the victims of the clashes. The Ngo Dinh Diem police opened fire on the relief carriers, killing anumber and injuring many others. Some were arrested. Mass demonstrations followed that demanded the Saigon puppet authorities to carry out consultations with the North in line with the 1954 Geneva Agreements. The puppet police and army cracked down on the demonstrators, caught hosts of persons and crammed them in jails in Saigon. I was among them.

All the arrested, men and women, young and old, were savagely beaten by the security agents. As for me and some others who were described as "Vietcong", the beating and torture were much more atrocious.

After three days of detention at the police station of District I, I was taken to the Catinat jail. There, in nearly six months (from July 6, 1955 to early January 1956) I was tortured three times every day in the morning, afternoon and evening.

At first, the wicked thugs shoved five or six of us into the interrogation room at a time, in an attempt to make us flinch at the sight of others being tortured. But as soon as they licked one of us in our presence, all of us shouted our protests loudly, causing the torturers to turn to everyone of us instead of beating only one prisoner. After the thrashing, they told us to sit in a row, undressed Mrs. Roi and ordered an old man to rape her. As the man refused to obey, they beat him until he fainted. Then one of these agents, assisted by two of his fellows, violated Mrs. Roi in our presence. The rest watched the scene while uttering obscenities and hee-hawing cynically. We strongly protested against this bestial act. As they again beat us, we resisted with all our strength, some biting at the tormentors and fighting back as best as they could, even breaking the wrist-watches of many agents. Afterwards, they changed the method by torturing us one by one.

Three times a day, I was summoned to the interrogation room. I stood there alone stark naked, surrounded by a pack of human-faced beasts, each holding one kind of instrument of torture. Sometimes, I was tortured after interrogation. At other times, they beat me immediately upon arrival. Often I lost consciousness. When I came to--generally after receiving an injection of camphor--they ordered me to "make confession" which I invariably refused. Then the beating resumed.

In the six months at the Catinat detention post, I was many times, nearing death. On six occasions, I was taken to the Cho Quan Hospital. I was customarily tortured in Room No 1. My torturers were Vietnamese security agents. Once every two weeks, I saw an American entering the room together with some Vietnamese. They talked something among themselves for five minutes or so then left the room I noticed a change in the methods of torture in the days after the visit of the American. In the first month of my stay there, the customary methods consisted in forcing water into my mouth and nose or hanging me in the air. As they could not get any information, the American was called in. Later they put me to electric shocks repeatedly for another month. Still I refused to speak. The American again arrived. Afterwards they applied a new method which consisted in nailing my fingers and toes to the table. I lost consciousness repeatedly all along these processes.

Here is the description of some of the methods of torture which I have gone through:

In the first daysafter my arrival I was beaten brutally during the interrogation sessions. They ordered me to declared myself a "communist cadre leading the demonstration". I refused because everyone knew I had



been leading a normal life for years in the region. Thereupon they stripped me naked, bound me hand and foot and placed me on a table. One of them straddled on my belly and covered my face with a piece of cloth. Another forced a mixture of soapsuds and disinfectant water into my mouth and nose until I fainted away. Then one of them treaded on my belly with his hobnailed boots making water. blood and food spurt out of my mouth and nose. I lost consciousness. When I came to my senses, they again asked: "Will you speak?", I again shook my head and the same torture resumed.

At other times, they undressed me and applied electrodes to my breasts and genitals. Then they began turning the electric motor. They turned slowly and did not cease until I was about to faint. After a while when I had recovered my senses they resumed turning. Each of such electric torture lasted about one hour. This method caused violent spasms of my body and profound shocks in my brain and left me in a state of half coma. They usually asked me questions in those moments. But all I could do was to shake my head. This method of torture was resorted to repeatedly for months till I was practically exhausted. I fell every time I tried to walk. One of my torturers threatened: "If you don't speak, then you'll die at our hands." I replied: "What can I tell you since I have nothing to tell?" And I asked them: "Why do you torture so brutally a woman like me while proclaiming loudly that the "Republic of Viet Nam is a regime of freedom?" One of them said: "Ah, that's only for propaganda purposes. Here we are devils. We can beat and kill freely, as many as we kill. You talked of freedom didn't you? You live in Saigon but know nothing. Let me tell you what "freedom" is like: do you see that every slum of Saigon abounds in brothels, play houses and opium dens: You can have everything if you have money. Only money has absolute freedom do you understand?"

Another added: "She is a real communist die-hard. When she was told to make confessions she shook her head and now she dares question us. I'll not allow you to speak!" Then they bound my hands and put electric shocks to my mouth. I struggled for a while then lost consciousness. When coming to I found myself lying alone in a small room, and blood was oozing from my mouth. This time I was completely exhausted and could no longer stand on my feet. They gave me no medical care. As for food, each time they gave me only a bowl of rice, a lump of salt and a milk can of water. I could no longer take any food. Seeing that I would die, they sent me to the Cho Quan Hospital from where I was rushed back to the prison once I recovered from sickness. By then I was completely exhausted. Before I was arrested I had weighed 58kg. yet after a period of detention I was only bone and skin. Again I was taken to hospital and again I was brought back for torture. This recurred six times during the six months of my detention at the Catinat prison. The last time, before I could walk on my own they carried me to a ship bound for the Phu Quoc Island. It was on January 2, 1956. I arrived in the island prison together with 600 others among them 15 women.

Among the 15 women deportees were little Ha and Bang respectively 14 and 6 years of age and two old mothers of 70 (Mme Hai, a Catholic in Ben Tre and Mme Lao, wife of a former Saigon attorney). Among the male deportees many were blind or invalid. We later learned that the blind were arrested because they sang resistance songs while begging in the streets. One of the children is named "Cu", only four years old. He and Bang mentioned above are children of Mr. Hus in Saigon whose wife had been killed by a U.S.- Diem shelling during the Bau Sen–ChoQuan battle. Mr. Hus could not walk since both of his legs had been broken by the security agents who beat him with an iron bar. He was taken to Phu Quoc Island together with his two kids.

On Phu Quoc island, the gaolers fettered our legs by strings of 15 or 20 persons and put us in iron-roofed sheds without wall, surrounded by a multi-ring barbed wire fence. Penned up in such a bleak spot, we were subject to a sweltering heat in day time and a bitter cold at night. I spent two "Tet" (Lunar New Year Festival) at Phu Quoc. There was no change in our meager ration even during the "Tet" days, each being given only a bowl of husk-saturated rice plus a portion of rotten fish the size of a finger or a spoonful of addle egg. Never did I see any vegetable. Such a diet was, h. wever, accompanied by a very harsh regime of forced labor: everyday the prisoners were forced to climb high mountains to fetch firewood, each having to bring back 80 cubic/centimetres of wood. Anyone who failed to reach this norm was beaten savagely, some falling dead on the spot after receiving a strike with a log on their heads. Understandably, few of us could gather as much wood so that hardly anyone escaped flogging. This was obviously a calculated measure to maltreat the prisoners.

The poor diet and the harsh forcible labour brought about many serious diseases and hardly a day passed without some deaths among us. That was not all. Occasionally, the prison authorities ordered troops posted on the hill to fire wantonly on the prison camp, causing dead and wounded. Then they reported to the mainland that some prisoners had been shot dead while trying to flee.

With regard to the women prisoners, anyone who still could move about was made private servant of the prison authorities. Many were raped. Those who resisted were beaten savagely.

Everyday, we were forced to salute the flag of the puppet regime and attend "denounce the Communists" sessions. He who refused was subjected to most brutal repression.

On April 1957, I and some other prisoners were taken to Poulo Condor Island. As we arrived, the chief warden told us: "It's easy to go to Poulo Condor but difficult to return from it. This island is especially intended for those who refuse to extol (praise) President Nego Dinh Diem."

Two days after our arrival, I was taken to a cell for solitary imprisonment. The cell was painted in black measuring about two by one metres and more than one metre high. Not any sunlight could enter the cell. At first they shut four persons in a cell. The number grew steadily and at times we were as many as 12 or 13 in a cell. It was like a furnance in the cell. We had to put off most of our clothes and later even to cut our hair short. Heat-strokes were frequent. There was a sanitation box in the cell and urine and excrement water were channelled out through a ditch passing by the door. The smell was unbearable. Flies abounded and each time the warden opened the door to bring in our meals, flies would completely cover our rice-bowls. We were permanenty tormented by thirst, yet they gave each of us only half a milk can of water for all the day and night.

No medicaments were given to the sick. Consequently, many cases of light illness could be fatal

Throughout nearly a month, the prison authorities compelled me to "denounce the communists", to repudiate the revolution. But I invariably told them that since I was not a Communist, whom was I to repudiate. They accused me of "refusal to break with the communists" and put me into the dark cell. This is an underground stone cell. They put as many as 15 of us in it, so that half of us had to sit for the remaining to lie. We must take turns to sleep that way. I remembered one of my cell-mates named Bich. She was pregnant at the time and later gave birth to a child in the prison itself. Another was imprisoned together with her unweaned child. There were also old women of 50 or 60 years of age. Since we could never afford a bath, everyone was covered with scab blisters. We women in menses were left with no expedient than to sit with our backs against the cell wall and let it flow, and next to lie on to sleep. Occasionally the prison wardens even sent bloodhounds in to bite at random–Due to the complete lack of vitamins we were all affected with dysentery and other intestinal diseases or mental troubles. The most feared disease was gangrene that first appeared in the form of a blackening of the toe tips. When the darkening spread to your hips, that meant your end. Some who caught gangrene were cured by eating some fresh vegetable or a tomato.

In the dark cell, they again forced me to "denounce communism" and as I again refused to comply, they beat me until I vomited blood.

Faced with mounting protest by public opinion in Saigon and many other parts of South Viet Nam against the detention of women in Poulo Condor, in mid-July 1957 they took me and some other women prisoners to Saigon where they put us in the Gia Dinh Jail.

There I was again impounded in a dark cell and continued to be forced to "denounce communism." Again I refused and they beat me so much that blood spurted from my mouth and nose. I again fainted away. They took me to the Cho Quan Hospital. A prison guard told me: "If you obstinately refuse to attend "denounce communism" courses, we'll hand you back to the security service (i.e. the Catinat Jail). There they'll pluck your liver off." In fact, afterward they took me to Catinat. I arrived in the morning. In the afternoon they called me into the torture room. Seeing that I was only bone and skin, a security agent tried to coax me: "We know that you are now too weak to follow the course. So you can be dispensed of it. All that you are asked to do is to sign to this paper (a ready-made attestation that I have followed a "denounce communism" course), then you'll be freed immediately." I shook my head. They pounced upon me and rained blows upon me until I lost consciousness. When I came to I saw that I was lying in a cell with blood all over my body and whole being aching terribly. I was completely helpless trying to raise my hand or folding my leg. For three days I could eat nothing, lying almost motionless at the same place. Thinking that I would die in no time, they carried me to the Cho Ray Hospital and sent word that my relatives might recover my body at the hospital

IMPRISONED FOR THE SECOND TIME (1960-64)

I was arrested for the second time when I was buying some flowers in Le Van Duyet Street in Saigon. It was about 8 p.m. on May 7, 1960.

As I was selecting flowers, two men came up, took my arms and said: "Go and buy at the other stand. They are more beautiful there." Then before I could answer they took me down to the road. Presently a Jeep came up and they hustled me into it then sped down to the Commando Post No. 4 in Ngo Quyen Street. I was immediately taken to the interrogation room. They

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DENUNCIATION MADE BY MLLE NGUYEN THI HONG A VICTIM OF U.S. PUPPET PRISON REGIME

perfunctory asked me about my identity and went straight to the question: "You are a Viet Cong. Tell us who are your comrades and where they are?" I replied: "You have arrested me by mistake. I am not a Viet Cong." One of them growled: "Mistake? That doesn't matter to us. The government has instructed us that better kill or arrest by mistake than let a Viet Cong escape."

I refused to speak. They took turns in torturing me through the night, kicking, punching, flogging at my breasts and genitals, compelling me to admit being a Viet Cong. As I again and again refused, they struck me out of my senses. When I came to, I found myself lying in a prison cell.

The next day they tried to get me up for further interrogation, but I was too weak to sit up. At night, they again put me to interrogation. As in previous times, they compelled me to admit being a "Viet Cong". As I again refused, they floored me and forced piments juice into my nostrils, causing me to vomit blood. Still I refused to admit anything. They tied my arms on my back with a wire, hung me in the air then began to punch me to and fro as in a boxing exercise. More barbarous still, they thrust a stick into my genitals and as they pulled the stick out, blood gushed out copiously. I lost consciousness and when coming to I felt searing pains all over my body and could not move my arms.



The same torture recurred again and again for two long months. But it yielded them no result since I categorically refused to accept any of their fallacious charges.

Finally, they took me to the "General Directorate" (i.e. the former Catinat Jail) had by the time been transferred to Vo Tanh Street in Saigon. Here I again met the "devils" who had tortured me in the past. They were surprised to see me since they thought I had died at the Cho Ray Hospital. Here I was subject to still more atrocious methods of torture including the following:

They put me on a wooden plank then drove nails through all my fingers and toes and interrogated me in such conditions. Many times I fainted away. The torturers also compelled me to face high-powered electric bulbs. Would I so much as wink, they struck me. After a while I was wet with perspiration and tears streamed down my face. An hour later I was dry again but felt acute pains in my eyes and a burning heat in my throat. Finally, I fell unconsicous–Another method much more horrible consisted in introducing non-venomon snakes into my trousers and ordering me to sit down. I had the wind up as the snakes sought a way out.

After endless sessions of torture, profiting by a fainting-fit of mine they took my hand to fake a signing on a written declaration prepared beforehand. Afterwards they brought me to the court (somewhere about March 1961). As they had no grounds to convict me, they again sent me to the Gia Dinh Jail.

The food regime in this jail was among the worst. When the prisoners demanded a better diet, the prison authorities repressed them most savagely. Here they forbade the prisoners to look at or talk with one another. A police group leader by the name of Giam and a cruel agent named Tang were free to beat anyone on the charge of exchanging glances with another prison mate. Each time they beat us 15 to 20 strokes of a steel rod. After nearly three months in this prison they took me to the Chi Hoa Jail. At this place, they forced the prisoners to line up every morning for the salute to the colors of the puppet regime. Those who refused to comply were beaten savagely, some to death right at the foot the flag-pole as was the case of Mr. Quang, native of Saigon. By then I had become crippled so I was exempted from the salute to the colors. But every time they forced the prisoners to salute the colors, I and some other cell-mates began to cry out our protests. And as they beat me I cried louder still. After some time, they switched to cajolery. They told me: "If you don 't want to salute the colors, let others do. Don't cry like this!" But I continued to shout protests. They shut me in the "disciplinary room" of the jail intended for those who refused to comply with the prison's rules. It lay at a good distance from the cells, so the wardens could maltreat the prisoners at will. Here, such tyrants as Lieutenant Dau, head of the Investigation Bureau, or Hoang Linh have beaten to death or crippled many prisoners. Mrs. Muoi from Can Tho died from a head injury. The old mother Muoi, 82, whose grandson was in the Saigon police, was also taken to the "disciplinary room" and had a leg broken by Dau. All the inmates of the "disciplinary room" were fettered by hands and by feet. And the manner in which they were fettered was also very barbarous. They ordered the prisoner to sit with his arms embracing his knees then shackled both hands and both feet together. This they called "motorbike race" shackling. In this way the prisoner could not lie down and was forced to sit in a hunching position all day and night. The ordeal was still harsher for women in periods inasmuch as besides being prevented from bathing, they even couldn't get their hands loose to wipe the flux.

Once I fell seriously ill. The prison medical officer proposed that I be unfettered. As they refused, he said: "How can you be so cruel:" This comment was reported to the puppet captain Pham Van Hai, duputy director of the prison. The medical officer was beaten and later taken to unknown destination. Most barbarous of all, they once shut two unweaned babies in the "disciplinary room". The screams of the babies were heart-rending. I had gone through many kinds of tortures but never had I shed any tears. Yet I could not contain my tears at the sight of these two babies crying hoarse. Their mothers also wept and demanded that babies should not be maltreated. The prison wardens said: "Children have to bear the consequences of their mother's actions."

By mid -1962, as the Chi Hoa Jail was overcrowded, they transferred me to the Thu Duc Jail. This jail kept about 2,000 prisoners, all of them women. I was paralyzed in my right side, yet they still fettered me both feet and hands. Beside me lay Mrs. Nam Sau from Ba Ria. Her genitals were ruined after her torturers thrust a broken bottle into them. She had also both legs crippled ever since. Still her hands were shackled all the same. We were left to eat, urinate, defecate and sleep in the same place. For weeks we did not have any bath or washing. As I refused to attend a "denounce communists" course they plunged me into a basin full of water with the shackles on. They told me: "Either you attend the course or die!..

There was a "reeducation committee" in the prison whose task was to force the detainees to "denounce communists". Those who refused were beaten savagely. In the two months I was incarcerated there, I was twice beaten to blood vomitting, by two cruel agents named Chau and An. Mrs. Nuoi who was two months with child was beaten to abortion. Later I was again brought to trial but again they found no grounds to convict me and finally had to absolve me. But the security service did not free me, instead they took me to the old Catinat Jail and my dossier was transferred from the "awaiting trial" category to the "blind lawsuit". This meant the tribunal no longer had any responsibility for my case and also I no longer had the right to appeal.

Then they transferred me to the Phu Loi Camp. The newly arrived were lined up in the yard, were searched one by one and plundered of all their belongings and money. Each was left with a single set of clothes on his or her body. Led into the cells, every prisoner was subjected to an "initial beating" for intimidation purposes. Every cell was guarded by a warden. The prisoners were forbidden to converse or even to look at one another. If two of us by sheer inadvertance turned our eyes on each other, the prison guard would beat us with at least ten strokes of his iron rod. The same salute to the colors was compulsory here. Anyone who refused would be beaten, sometimes mortally. Other "recalcitrate (refuse to obey) persons" were subjected to all-day exposure in the sun without receiving any food or drinking water. This treatment resumed the next day and the following day until the victim collapsed from sunstroke.

Here I learned that some were sentenced by the tribunal to one year's imprisonmentbut had been kept for six or seven years. Others who had been absolved continued to be detained as was the case of Mrs. Hai Bong, a Cao Dai believer who was tortured to such extent, that she could no longer eat rice but only soup. Mother Sau from Ca Mau was kept there on no ground and she was beaten to madness only because she protested loudly the arbitrariness of her detention. Everytime she went into a fit of rage she called herself "Sau the Victor". This calling later became familiar with the rest of the prisoners.

The illegal detention and beating provoked continual protests by the prisoners who even staged hunger strikes and broke the prison doors. The prison authorities were so alarmed that they had to plant mines all around the prison. Later, due to growing protest from the local people, they had to release some of the crippled or sick people.

Today, although I have received special medical care for many years, the right half of my body remains paralysed and aches enormously. I still cannot eat any solid food since the lime and disinfectant water I was made to absorb has almost completely ruined my stomach and intestines. Each time I can eat only a bowl of weak soup or a bowl of milk, I suffer heavily of mental troubles because of too much beating on my head. Today, I can ascertain that there exists thousands and tens of thousands of persons rendered invalid like me by the prison regime of the U.S. and its puppets, and tens of thousands of others continue to be jailed and tortured as I was in the past.

FREE BOBBY NOW



THE LUMPEN

REVOLUTIONARY MUSIC BY THE LUMPEN ON THE SEIZE THE TIME LABEL BLACK PANTHER PARTY PRODUCTION

NO MORE

I
From Watts, to Brownsville, we find misery,
But there won't be no more, won't be no more,
Rats, dirt, and kids who are hungry,
There won't be no more, won't be no more,
Cause we've seen, how to be free,
Of pigs on our streets, and poverty,

To this way of life, we're closing the door,
So there won't be no more, won't be no more.

II
There were times, we stood by, like we could not see,
But there won't be no more, can't be no more,
We'll get guns, to defend, our communities,
There won't be no more, can't be no more,
We'll control, our destiny, no more murder, of
Our people, in their sleep,
To this way of life, we're closing the door
So there won't be no more, won't be no more.

III
Wars, 'round the world, to keep folks from being free,
There won't be no more, Black people - can't be no more,
Sending us to fight, some false enemy,
There can't be no more, can't be no more,
Because now, we understand, there'll be peace,
When racism, is killed in this land,
To this way of life, we're closing the door,
So there won't be no more, won't be no more

FREE BOBBY NOW

I
He walked the streets and carried a gun,
To save his people, and family,
From those who've killed us for four hundred
years,
We say, Bobby must be set free, Bobby must be set Free.

II
They say that he killed a brother
But this we know, just cannot be
He's proven his love for his people,
That's why Bobby must be set free,
Bobby must be set Free.

III
How many more brothers must die,
Before we all finally see
The oppressor has no rights we are bound to respect,
That's why Bobby must be set Free, Bobby must be set Free.

IV

We won't sacrifice our Chairman
'Cause his life means our destiny
If we must we'll hold back the night
Bobby Must Be Set Free, we said;
BOBBY MUST BE SET FREE

MUSIC AND LYRICS BY BILL CALHOUN

"ONLY WITH THIS GUN WERE THE BLACK MASSES DENIED THIS VICTORY, BUT THEY LEARNED FROM MALCOLM THAT WITH THE GUN, THEY CAN RECAPTURE THEIR DREAMS AND BRING THEM INTO REALITY."

Huey P. Newton
Minister of Defense



"NOT TO BELIEVE IN A NEW WORLD AFTER PHILADELPHIA IS A DERELICTION OF THE HUMAN SPIRIT"



The people are the motivating force.

There is going to be a revolution in America. It is going to begin, in earnest, in our time. The multitudes in Philadelphia at the Revolutionary Peoples Constitutional Convention were overwhelmingly poor and black and, most significant of all, typical; the stunning events of September, 1970, in Philadelphia could have happened anywhere in America. There were no busses of white students and peace people from outside (they will all make the most important choice of their lives by Christmas).

To have believed in a second American revolution before Philadelphia was an act of historical and existential faith; not to believe in a new world after Philadelphia is a dereliction of the human spirit. When Huey P. Newton told those forgotten thousands, simply, that he loved them and they rose up weeping like the troops from hell, time stood still and the future hove into sight.

It all began the week before.

Babylon, 1970

These creeps lurk in the dark./ They should
be strung up . . . I mean within/ the law.
We're dealing with a group of/ fanatics, yellow
dogs that they are. We're deal-/ ing with psychotics
and we must be in a position/ to take them on.

Why don't they call us and tell us they want to kill us? Why don't they tell us they want/ to have it out? We'll meet them/ anytime. We'll go on their terms.

If the laws as they now exist/ are insufficient
to deal with these people / (black militants and revolutionaries) then I urge that the voters
elect to high office people who/ will change the laws.

We took their pants off.

If they say they'll have ten/ men, they can have
anything they want with them,/ and we'll go with
two. Do they have to be cowards? Aren't five to one odds good/ enough for them?

The odds at each Panther office had been 50 to one in favor of the attacking police. Police Chief Rizzo was spewing hate.

They were the cowards, Huey Newton was to say, and he dubbed Rizzo as "Bozzo". The name was permanent by nightfall, it will dog the Chief the rest of his convulsive days.

Philadelphia was in a state of emergency. Counterattack on the police. Typically, the Panther offices were visited by predawn raids, but this time the Panthers were stripped naked in the streets. "This reminds us of slavery" said a later conference speaker, and the black colony of Philadelphia in a condition of grief and rage, made a sound that must have paralyzed the undercover police agents there.

"Violence is in the hands of the police", Huey P Newton announced when he arrived. The stage was set: a pre-revolutionary aura hung in the stifling air.

Flags

Temple University, McGonigle Field House, Philadelphia, 1970. Revolutionary Peoples Constitutional Convention. At 9 a.m. the lines of black and brown people wait, the Quacker observers arrive. 9 a.m., the time announced, "colored peoples time", that is poor peoples time, is coming to an end.

Why did time matter now? Because there was a future. "Right On!", heard every second, means that anyway: "right on time"; right on time for revolution; that is to say for survival.

By the time the first session ended 9,000 people had washed up all the way to the speakers stand and new lines were already forming in anticipation of the coming of man of destiny, Huey P. Newton.

Outside the Stars and Stripes had been replaced by five flags in descending order: the Black Panther Party; the National Liberation Front of Vietnam (no peace rally has ever dwelled with such detail on the suffering and heroism of the Vietnamese people themselves); the green, black and red of black nationalism; the green marihuana leaf on the black ground of anarchy, the flag of Y.I.P.; and, finally, a flag of Che Guevera.

The growing number was close to 9,090 non-white; a stunning reversal of previous "Left" conferences. Black and Brown of all ages (the new chapter of the Philadelphia Young Lords was prominent), and young whites, all come, like so many fools for the revolution, to talk about a new world.

All children wore "Huey" buttons and babes in arms, with the gift of tongues, cried "all power to the people". The army of children were not boisterous. The children were to be for the three days like the adults, infected with a kind of mad sobriety. Later, inside, they would watch the faces of the big people contort with rage and hope. They would have more than the buttons to show for it all: the funerals and rallies were doing their work, these children had developed a spine of revolutionary grief.

They were serious as Asian children are serious in these days. The rulers of Philadelphia were enormously relieved that there was no riot, that everyone had come to hear speeches instead. Little did they guess that this was not a "peaceful" conference, it was a revolutionary conference whose constitution would be the death warrant of those who now congratulated each other on their good luck. Beware the quiet children and the poor people on time.

Babylon And Germany

Inside, the perfect revolutionary began his extraordinary two hour oration. Michael Tabor of "The New York 21" Panthers and former dope fiend. In magnificent periods in the language of the streets and of history, he invoked Babylon and Nazi Germany. The revolutionary fiend, in a metaphor that drove the throng wild, likened capitalism to the most devastating addiction of all — money.

The American Constitution, as practiced, was consigned to the "graveyard of human history", the crowd roared. It has always been, he said, "from git go to git go", a constitution "of the pigs, by the pigs and for the pigs". Displaying an amazing range of American history, Mr. Tabor took the document apart, article by article.

In a deep voice he conceded that in the eighteenth century the Constitution had been a brave "wolf ticket". But even then it had been designed excluding the 240,000 indentured servants 600,00 black slaves, 300,00 Indians and all women, to say nothing of the sexual minorities.

In January of 1863, the "South put fire to the North's ass", and the North found it convenient to take a moral position concerning the slaves who were already free.

The 180,000 slave soldiers turned the tide and for their pains got the 13th, 14th, 15th amendments which were promptly used to safeguard Northern industry.

The great collection roared again and again as black capitalism and black political representation were brushed aside. During Reconstruction the black senators from Mississippi, the judges, the congressmen and police chiefs had all been wiped out without a white murmer, they were reminded.



HUEY P. NEWTON
MINISTER OF DEFENSE

Too Late, Too Late

German fascism just "existed" one day when the quarrelling victims looked up. Could it happen here? From Asia to the barrios to the ghetto a machine had been grinding that "made Hitler look like a peace candidate." From the Alien and Sedition Acts to today's preventive detention and "no-knock" laws Babylon has been building. The warning rang out over the jammed hall that if the people did not seize the time then the "time would seize them." One day soon it will be "too late, too late, too goddamned late." There was tumult and ecstasy: the crowd roared, stood, shook fists, slapped hands, gave the fearful, wonderful high yell of the Third World. The death blow would be, must be struck here in Babylon — the audience was a storm of fists and crys of "all power to the people."

It was all so simple. To whom does the oil and the other resources of the earth belong? Terrible questions were being asked and to each the people shouted their answer — "the people". History manifested on two feet, the revolutionary fiend at the podium pushed the inexorable dialetic on and on: life or death, freedom or oppression, being a man or woman, revolution and survival or humiliation and nothingness. Simple.

The time was at hand. The plenary session of the Revolutionary Peoples Constitutional Convention was directed to reconvene in groups:

1. Third World Peoples
2. Women
3. G.I.'s
4. College Students
5. High School Students
6. Workers
7. Lesbians
8. Male Homosexuals
9. Welfare People
10. Street People
11. Head Workers — People's technicians, doctors, lawyers, scientists, clergy
12. Political Prisoners, Prisoners of War

The Masses

There were 10,000 people in the hall and that many outside. At last the real people. The overflow was so great that hundreds streamed to the nearest church. It was a scene out of the Gospel according to St. Mark: men, women and children everywhere "waiting for Huey" to come to the hall, to the streets, to the church. When he spoke he told them simply that it was time to change the system and thereby their lives and that he loved them. He began with America:

When in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume the powers of the earth, the separate and equal station to which the laws of nature and of nature's god entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to separation.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their creator with certain inalienable rights, that among these are life, liberty and the pursuit of happiness. That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed. That whenever any form of government becomes destructive of these ends, it is the right of the people to alter or abolish it, and to institute new government.



MICHAEL TABOR

Laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate that governments long established should not be changed for light and transient causes: and accordingly all experience hath shown, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same object evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future society.

The train of logic was inexorable. After a generation of media heroes the man who had looked out at them from posters for so long spoke without any rhetoric at all. He seemed almost boyish but powerfully built and wonderfully handsome. The press was dumb-founded, they were left out and the people were everywhere. Priorities were already being rearranged, the press had to take their chances. They, the press, were disappointed because the speech was so short and unadorned.

Friends and comrades throughout the United States and throughout the world, we gather here in peace and friendship to claim our inalienable rights, to claim the rights bestowed upon us by an unbroken train of abuses and usurpations, and to perform the duty which is thus required of us. Our sufferance has been long and patient, our prudence has stayed this final hour, but our human dignity and strength requires that we still the voice of prudence with the cries of our sufferance. Thus we gather in the spirit of revolutionary love and friendship for all oppressed people of the world regardless of their race or of the race and doctrine of their oppressors. We gather to proclaim to the world that for 200 years we have suffered this long train of abuses and usurpations while holding to the hope that this would pass. We recognize however, that it has not passed and we are a people who enjoy no equal protection of the law, no due process of law, and our future action must be guided by our sufferance, not by our prudence.

He was teaching now as no one had since Malcolm X. The huge numbers were rapt.

The United States of America was born at a time when the nation covered relatively little land, a narrow strip of political divisions of the Eastern seaboard. The United States of America was born at a time when the population was small and fairly homogenous both racially and culturally. Thus the people called Americans were a different people in a different place. Furthermore they had a different economic system. The small population and the fertile land available meant that with the agricultural emphasis of the economy, people were able to advance according to their motivation and ability. It was an agricultural economy and with the circumstances surrounding it, Democratic Capitalism flourished in the new nation.

Mr. Newton was on his obsession now: colonialism and imperialism.

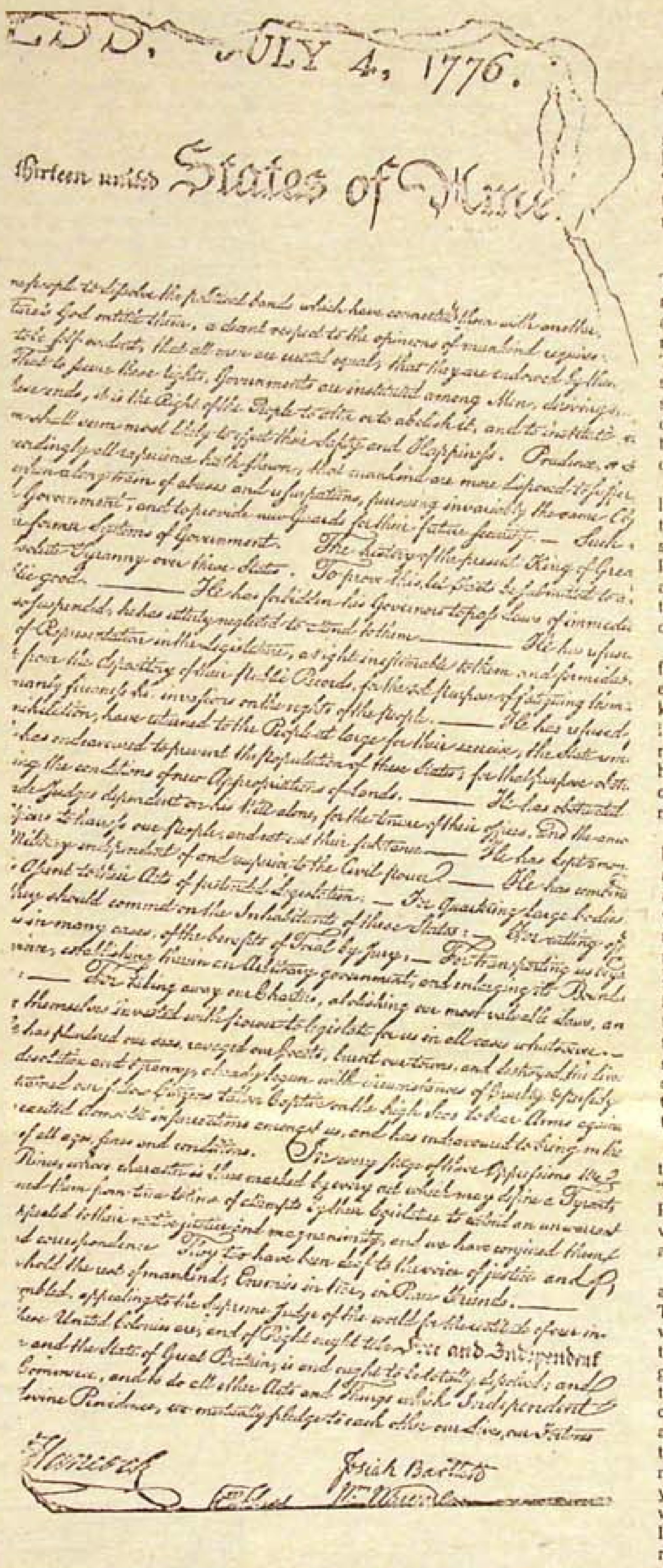
The metaphor of colony and mother country sank into the listening. The new nation acquired a population to fill this newly acquired land. This population was drawn from the continents of Africa, Asia, Europe and South America. Thus a nation conceived by a homogenous people of a small number and in a small area grew

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" NOT TO BELIEVE IN A NEW WORLD AFTER PHILADELPHIA IS A DERELICTION OF THE HUMAN SPIRIT "





JULY 4, 1776.

States of

into a nation of a heterogencour people, comprising a large number, and spread across an entire continent. This change in the fundamental characteristics of the nation and its people substantially changed the nature of American society. Furthermore, the social changes were marked by economic changes. A rural and agricultural economy became an urban and industrialized economy, as farming was replaced by manufacturing. The Democratic Capitalism of our early days became caught up in a relentless drive to obtain profits and more profits until the selfish motivation for profit eclipsed the unselfish principles of democracy. Thus 200 years later we have an overdeveloped economy which is so infused with the need for profit that we have replaced Democratic Capitalism with Bureaucratic Capitalism. The free opportunity of all men to pursue their economic ends has been replaced by constraints placed upon Americans by the large corporations which control and direct our economy. They have sought to increase their profits at the expense of the people, and particularly at the expense of the racial and ethnic minorities.

Modern times and the period we had all lived through and the images and figures, now dead and gone, were the collective thinking and memory of the convention.

We did not recognize, however, that any attempt to complete the promise of an 18th Century Revolution in the framework of a 20th Century government, economy and society was doomed to failure. The descendants of that small company of original settlers of this land are not among the common people of today, they have become a small ruling class in control of a worldwide economic system. The constitution set up by their ancestors to serve the people no longer serves the people, for the people have changed. The people of the 18th Century have become the ruling class of the 20th Century, and the people of the 20th Century are the descendants of the slaves and dispossessed of the 18th Century now serves the ruling class of the 20th Century, and the people of today stand wanting for a foundation for their own life, liberty and pursuit of happiness. The Civil Rights Movement has not produced this foundation, and it cannot produce this foundation because of the nature of the United States society and economy. The vision of the Civil Rights Movement is to achieve goals which have been altered by 200 years of change. Thus the Civil Rights Movement and similar movements have produced no foundation for life, liberty and the pursuit of happiness. They have produced humiliating programs of welfare and unemployment compensation, programs with sufficient form to deceive the people, but with insufficient substance to change the fundamental distribution of power and resources in this country.

The simple general demands were spelled out. As simple as "Land, Bread and Peace" and to the media as deceptive.

We gather here to let it be known at home and abroad that a nation conceived in liberty and dedicated to life, liberty and the pursuit of happiness has in its maturity become an imperialist power dedicated to death, oppression and the pursuit of profits. We will not be deceived by so many of our fellow men, we will not be blinded by small changes in form which lack any change in the substance of imperialist expansion. Our suffering has been too long, our sacrifices have been too great, and our human dignity is too strong for us to be prudent any longer.

The Black Panther Party calls for FREEDOM and the POWER to determine our destiny.

The Black Panther Party calls for full employment for all our people.

The Black Panther Party calls for an end to the capitalist exploitation of our community.

The Black Panther Party calls for decent housing for all our people.

The Black Panther Party calls for a true education for our people.

The Black Panther Party calls for exemption from military services.

The Black Panther Party calls for an end to police brutality.

The Black Panther Party calls for freedom for all political prisoners.

The Black Panther Party calls for fair trials for all men by a jury of their peers.

The Black Panther Party calls for a United Nations plebiscite to determine the will of black people as to their national destiny.

In summary, the victims of the eighteenth century, a small homogeneous group, had become the ruling class of the twentieth century. In practice, it is their Declaration and Constitution. Malcolm X had hinted or "signified" at what was coming. Huey Newton spelled it out: A new American Declaration-Constitution.

The security tightened around him. The short remarks were near an end, the mass bent into the love.

The sacredness of man and of the human spirit requires that human dignity and integrity ought to be always respected by every other man. We will settle for nothing less, for at this point in history anything less is but a living death WE WILL BE FREE and we are here to ordain a new constitution which will ensure our freedom by enshrining the dignity of the human spirit.

Surrounded by guards, Huey P. Newton moved out quickly. Everyone knew there had been death threats all day, a final warning had been issued to provocateurs, and two grenades had been discovered before the meeting. As the guard, perhaps with a decoy now, flashed past the entrances the crowd turned and cheered and wept. The last phrase had produced an uproar, "a slave who dies a natural death will not balance two flies on the scales of history."

Missing had been the nation's number one political prisoner, Bobby Seale. How happy that greatest of organizers would have been to see his beloved Huey, radiant before the masses. Only a few of the Panther iron cadre — Masai, Big Man, Jolly, Zayd Shakur — were left to see it, to follow and to lead.

Ahead was all the detailed work but it all came down to what had been intoned earlier, "Give me liberty or give me death"; when Patrick Henry had been equaled with Jonathan Jackson who entered the courtroom in California "with freedom on his mind."

Outside the little food trucks selling Soul Food made do for loaves and fishes, and the word "revolution" chattered through the cooling night like a bird or a machine gun.

The Heat Wave Breaks

The speech, on radio and tape recorder, was on an endless loop all night in the seething and terrific North Philadelphia streets. The light voice on every block saying that America must have some socialism; in the press next day readers instead of seeing "off the pig" horror stories saw their own life described.

The corners, afterwards, were like the decks of ships tilting under the weight of the standing thousands. As sensational as the St. Petersburg Haymarket an age ago, and Panthers were everywhere talking the putative peoples' army out of a premature confrontation.

The streets enormous respect for the Panthers turned the tide even though thousands had been kept standing for hours with no information and it had hurt deeply not to "see Huey". They went home and they came back to work on the new constitution the next morning.

The next morning the heat wave had broken, breeze and blue sky and the people waiting patiently at all the churches to begin the work shops. The irony was enormous: the pre-literate black masses and some few saved post-literate students were going to, finally, write the new constitution that the middle class intellectuals had been calling for since their birth. The aristocratic students led by the women, and the street bloods, they were going to do the writing.

So there were the first tentative meetings, led brilliantly by "armed intellectuals" from the Panthers. And, as always in revolution, it came down to right and wrong, moral imperatives.

The failed aristocratic students at the end of history and the Third World cadres, lumpen, and workers at the beginning have certain things in common: a religious moral passion that defies the technocratic rational tradition of the Enlightenment, an overarching and absurd hope in the transcendent nature of man in the material, existential world, and the yearning for engagement in the work or play of history-destiny. In the schools and churches — the rational structures of the past — the subversive workshops of the future met to ventilate the private obsessions of the intellectual aristocrats and the mad hopes of the damned.

The people were not playing anymore; the Panthers had to go flat out to keep up with them.

Seize The Time

The press, ordered to choose a pool of ten from their number, exhibited signs of disorientation. But the "story" was outside. Unbelievably, thousands jammed the streets again for the reading of the constitutional workshops. No charismatic leader was promised.

Somehow the rejection of time and discipline by the upper middle class students and the poor people had ended and it was clear that the convention could have gone on for a month. In place of the individual rebellions of the '60s was a collective attack on time itself and its abstractions.

A Declaration-Constitution that the great crowds would have to fight for; this they were told for three days.

They listened joyfully to the fruit of their hard labor in the workshops. People with pencils had shown up at 8 a.m. and worked without let up until dark. They were high and could not be turned off:

1. Self-Determination for National Minorities
2. Self-Determination for Women
3. Self-Determination for Street People
4. The Family & the Rights of Children
5. Sexual Self-Determination
6. Control & Use of Military
7. Control & Use of Means of Production
8. Control & Use of Educational System
9. Revolutionary Artists
10. Control & Use of Legal System
11. Political Prisoners of War
12. Control & Use of Land
13. Distribution of Political Power
14. Internationalism, relations with liberation struggles around the world
15. Religious Oppression/New Humanism
16. Drugs
17. Health

These had been confronted by groups, some numbering as high as 500!

Ecology, too, was now a revolutionary issue. They would fight and die, they roared, for the biosphere: "revolution is the only solution."

Seize the space: all State and municipal boundaries to be abolished; access to all information; community control of *everything*, on and on it went, and, finally, a deep roar when the mass was told that America would be free at last but relatively poor after the tenacles of United States imperialism had been chopped off. Almost shocking altruism; that, the end of hard drugs and over and over again the destruction of "the pig".

And once the suspense became unbearable until it was affirmed that "grass and psychedelic drugs are necessary for the revolutionary consciousness of the people (though afterwards perhaps a burden)." Then they danced and sang in the vaulted gymnasium and when the pimps and hustlers were drummed out, old women stood and beat their breasts.

All demands from "grass", to revolutionary tribunals, to essential sharing, to counter-intelligence, to parks to land to medicine to police to those who control the police to women to sexual freedom, to exploitive action or lack of action to peoples courts to a new religion of humanism to God in Man, to peace, to human survival. Abstractions, high and low. It was all there.

To Relieve Pain Speak Pain

Dazed with fatigue, ready to go on, the people crowded into the Church of the Advocate for the parting words. The Panthers opened the microphone for criticism; it came. They made notes.

Somehow an old woman got the speaker and told a long, disjointed story of the death of her two year grandchild. It was boring, embarrassing, appalling: that woman with her crazy word salad of grief and remorse, standing by the altar in the huge church was the final sign and significance of the plenary convention and the raw heart of the future constitution.

Philadelphia had been transformed for the second time. Now the call of the South would be answered, the Revolutionary Constitutional Convention, itself, would be held in Washington, D.C., on November 4th, election day. From the prisons, campus, military base, barrio, ghetto, church, underground, Third World, factory, they would come to run it down in the Capitol — the "city of lies".

The Panthers, who worked through all the nights, handed out the plain spoken position papers and it was over. People stood in knots to say goodbye; a breeze began to blow through the blasted streets. Would a wind be far behind?

The man known as Malcolm X had seen it all: had seen Huey P. Newton coming with his love and his gun; had seen Babylon and the chickens coming home to roost.

BOBBY'S APPEAL



PART IX

B. CONTEMNORS MAY NOT BE SUMMARILY PUNISHED PURSUANT TO RULE 42 (a) OF THE FEDERAL RULES OF CRIMINAL PROCEDURE FOR PRIOR ACTS OF MISCONDUCT WHERE PREJUDICE IS CAUSED BY THE DELAY IN ADJUDICATION.

Assuming that summary punishment *can never be imposed* after the conclusion of trial for misconduct during the course of trial, such punishment is allowed only if the contemnor is not prejudiced by the delay in adjudication. In Sacher v. United States, supra, the Court relied specifically on the fact that contemnors were not prejudiced by the delay in adjudication because they were defense attorneys (and as such presumably aware that their conduct subjected them to criminal contempt penalties), and they were repeatedly warned that their conduct was contemptuous (138). The Court also relied on the fact that there the exigencies (demands) of trial and fairness to defendants required deferral of adjudication (a judge's decision; court's finding) since if contemnors had been subjected to summary punishment mid-trial, the defendants would either have been deprived of attorneys or, at the least, prejudiced by the jury's knowledge that counsel had been charged with contempt (139).

(138) Indeed the contempt citation, which appears at 182 F.2d 416, 430 (2nd Cir. 1950), reveals that the court not only warned the contemnors in specific terms but made actual findings or adjudications of contempt in the course of the trial. See, e.g., 182 F.2d at 446, 451, 452, 453.

(139) Other cases upholding deferred adjudication of direct contempt have relied on facts indicating that the delay caused no prejudice to contemnors and was required in the interests of fairness to defendants. See United States v. Galante, 298 F.2d 72 (2d Cir. 1962) (upholds contempt convictions and 20-day sentences after declaration of mistrial relying on fact that specific warnings had been given throughout the trial); United States v. Schiffer, 351 F.2d 91 (6th Cir. 1965), cert denied, 384 U.S. 1003 (1966) (upholds contempt conviction and 60-day sentence of defendant's attorney at close of trial on grounds that (1) there was no prejudice because the misconduct was clearly contemptuous and any lawyer would have understood the court's warnings; (2) deferral was justified because summary action during the trial might have prejudiced the defendant, delayed the trial or caused a mistrial); In re Osborne, 344 F.2d 611 (9th Cir. 1965) (contemnor was defendant's attorney; court held that fairness to defendant required deferral to end of 1 1/2-day trial); Shibley v. United States, 236 F.2d 238 (9th Cir.), cert denied, 352 U.S. 873 (1956) (upheld delay until after verdict where contemnor was attorney and had been specifically warned conduct was contemptuous).

(END OF FOOTNOTES)

In the instant case it is clear that appellant (Bobby) was prejudiced by the delay in adjudication. He was a layman not in fact represented by counsel (whether or not he was denied his right to counsel). He was given no adequate warning at any point as to what constituted contempt in general or as to when his specific conduct could subject him to criminal contempt penalties. And, at the close of trial, he was subjected not just to one general sentence for contemptuous conduct (which under Bloom v. Illinois, supra, would have been limited to six months) but to 16 consecutive three-month sentences (140). Had appellant (Bobby) instead been immediately cited for contempt upon each of his alleged acts of misconduct and, if not sentenced on the spot at least warned what penalty could subsequently be imposed, he would have learned what constituted contempt and that his actions were subjecting him to multiple penalties (141). Thus in a real sense the manner in which the court chose to proceed may have induced further acts of contempt.

(140) The Sacher contemnors were given concurrent penalties up to a maximum of only 6 months for their separate contempt convictions, 182 F.2d at 418.

(141) If criminal penalties are subsequently to be imposed due process requires either immediate citation or, at the least, specific warning that such penalties will be forthcoming. See Argument VII, pp. 137-51, infra.

(END OF FOOTNOTES)

In the instant case it is also clear that what the Sacher court called the "exigencies of the trial"--primarily involving considerations of fairness to the defendants — did not justify deferral of action. Appellant (Bobby) was a defendant, not a defense attorney, and since he was in custody and additionally denied the right to speak, punishment for contempt could not have prejudiced his ability to present a defense. Nor could a contempt citation or sentence have possibly damaged appellant's (Bobby) standing in the eyes of the jury any further: the trial judge had frequently threatened and insulted appellant (Bobby) in the jury's presence, and appellant was bound and gagged before them. Finally, since the jury was constantly being sent out of the room (and indeed was excluded during many of the alleged contempts), there was ample opportunity to specifically warn appellant that he would be subject to criminal contempt penalties without the jury's knowledge.

V.

ASSUMING IT WAS PROPER TO PROCEED UNDER RULE 42 (a), APPELLANT WAS AT LEAST ENTITLED TO SOME HEARING AND THE COURT BELOW ERRED IN (A) DENYING HIM ANY OPPORTUNITY TO PRESENT EVIDENCE OR ARGUMENT GOING TO GUILT, AND (B) DENYING HIM AN ADEQUATE SENTENCING HEARING, INCLUDING THE RIGHT TO REPRESENTATION BY RETAINED COUNSEL.

Even if it was proper for the trial judge to have proceeded under F. R. Crim P. 42 (a), appellant (Bobby) was entitled to some sort of rudimentary hearing, including at least the opportunity to present evidence and argument going to guilt and penalty, and representation by retained counsel (142).

(142) Whether or not the court is obliged to appoint counsel, certainly a contemnor should have an absolute right to representation by retained counsel. See, e.g., Reynolds v. Cochran, 365 U.S. 525, 531 (1961); Chandler v. Fretag, 348 U.S. 3 (1954); In re Gault, 387 U.S. 1, 29 (1967); Hendrix v. City of Seattle, 456 P.2d 696 (Wash. Sup. Ct. 1969).

(END OF FOOTNOTE)

Here appellant (Bobby) was denied any hearing whatsoever on the issue of guilt. The court specifically found and adjudged him guilty without allowing him to speak and before even reading a description of the 16 different allegedly contemptuous acts. (TR 5411, 5415) Appellant was then provided an opportunity to speak only to the issue of penalty. (TR 5475-78)

Additionally, no adequate sentencing hearing was provided since appellant was denied the right to representation by retained counsel of his choice. After adjudging appellant guilty, the court asked Kunstler whether he had anything to say with respect to punishment, but Kunstler refused to say anything on Seale's behalf on the ground that he was not Seale's lawyer. (TR 5475-78) Appellant was then told he could speak but was not told how to proceed or what factors the court might deem relevant. He spoke generally and was sentenced. (TR 5478-81)

We have shown in Argument IA, supra, that appellant (Bobby) was illegally denied the right to be represented by counsel of his choice at trial; and it follows plainly, for the reasons there stated, that he was also denied counsel in his contempt proceeding--a right which even the court below recognized he was entitled to. But wholly apart from the issue of Seale's right to counsel during trial, he was without representation at the contempt proceeding and was entitled to a continuance of that proceeding so that he could be represented by counsel of his choice, since in light of the declaration of mistrial and severance, a continuance would in no way have delayed the trial proceedings.

It may once have been thought legitimate summarily to punish certain in-court contempts without providing any hearing whatsoever, but the Supreme Court's holding in Bloom v. Illinois, supra, that criminal contempt constitutes a crime like any other, requiring similar procedural safeguards, mandates reconsideration of this view. And recent Supreme Court decisions holding due process safeguards, including the right to counsel, applicable to a variety of sentencing proceedings (143) make it clear that appellant was at least entitled to representation by counsel with regard to his sentence.

(143) See, e.g., Specht v. Patterson, 386 U.S. 608 (1967); Mempa v. Rhay, 389 U.S. 128 (1967); Chewning v. Cunningham, 368 U.S. 443 (1962); Reynolds v. Cochran, 365 U.S. 525 (1961); Williams v. New York, 337 U.S. 241 (1949) (dictum); Moore v. Michigan, 355 U.S. 155 (1957); Townsend v. Burke, 334 U.S. 736 (1948).

(END OF FOOTNOTE)

A number of recent cases have found a right to a rudimentary hearing, including representation by counsel, even in cases of in-court contempt. Thus in Ungar v. Sarafite, supra, the Court assumed, without deciding, that some hearing was required and upheld the conviction on the grounds that the hearing provided satisfied the due process requirements of notice, opportunity to defend or mitigate, representation by counsel, and opportunity to call witnesses (144). In Holt v. Virginia, 381 U.S. 131 (1965), the Supreme Court ruled that:

...it is settled that due process and the Sixth Amendment guarantee a defendant charged with contempt such as this (in-court refusal to answer questions) "an opportunity to be heard in defense--a right to his day in court--...and to be represented by counsel." (145)

(144) 376 U.S. at 589 and n. 9. The due process requirements of a contempt hearing had been similarly defined in, e.g., In re Oliver, 333 U.S. 257 (1948), and Cooke v. United States, 267 U.S. 517 (1925).

(145) 381 U.S. at 136, citing In re Oliver, 333 U.S. 257 (1948).

In Johnson v. United States, 344 F.2d 401 (5th Cir. 1965), the court reversed a contempt conviction and sentence imposed on a witness mid-trial, pursuant to Rule 42 (a), on the ground that the contemnor had not been represented by counsel. And in Appeal of the S.E.C., 226 F.2d 501, 520 (6th Cir. 1955), the court reversed a mid-trial judgment of summary contempt resulting in a 60-day sentence, ruling specifically that the contemnor had a right to counsel. See also in re Williams, 152 S.E.2d 317 (N.C. Sup. Ct. 1967); Cardona v. Perez, 280 N.Y. Supp. 2d 913 (App. Div. 1st Dept. 1967); Spencer v. Dixon, 248 La. 604, 181 So.2d 41 (1965).

In United States ex rel. Robson v. Malone, 412 F.2d 848 (7th Cir. 1969), this Court recognized that the summary conviction of two defendants in the midst of trial pursuant to Rule 42(a) raised an issue as to whether their right to counsel had been denied.

(END OF FOOTNOTES)

Even assuming, arguendo, that minor penalties can be summarily imposed for in-court contempt without any hearing, it is at least clear, under the rule established in Bloom, supra, that no serious penalty can be imposed without providing essential guarantees including right to counsel (146). See Nelson v. Holzman, 300 F. Supp. 201 (D. Ore. 1969), involving a summary conviction for direct contempt, where the court held that the Supreme Court's decisions in Bloom, Cheff and Duncan required representation by counsel where penalties in excess of six months were involved, but not in a case involving a petty penalty (a five-month term had been imposed (147).

(146) In Bloom the Court found the right to trial by jury to be such an essential safeguard. While the right to jury trial may be an important protection against abuse of official power, representation by counsel has long been considered even more basic to a fair hearing. Counsel is therefore required at least in situations where Bloom would require a jury trial.

(147) There is no question that the sentences imposed in a contempt proceeding must be aggregated for purposes of determining right to counsel, even if the Court rejects appellant's argument (IIA, supra, pp. 54-62) that it is the aggregate sentence which determines right to jury trial. The Fifth Circuit has so held with respect to a regular criminal trial in James v. Headley, 410 F.2d 325, 327, n.*, 329 (5th Cir. 1969). It is even more important to aggregate in contempt cases because of the court's extraordinary power--particularly to decide what constitutes contempt, whether to prosecute, and on what number of charges. In addition, providing a contemnor with counsel requires still less delay and inconvenience than providing him with a jury trial.

Moreover, even if appellant's 16 three-month sentences are considered separately rather than aggregated, he was entitled to representation by counsel. The Supreme Court may have drawn the line at six months in determining right to jury trial in contempt cases, but this does not mean the same line should be drawn to determine when the more basic and easily furnished protection of representation by counsel should be provided. There is increasing acceptance of the notion that a criminal defendant has a right to counsel whenever his liberty is at stake. Certainly this should be true in the area of contempt where virtually nothing else stands between the contemnor and the exercise of arbitrary power.

(END OF FOOTNOTES)

Finally, it is clear that the factual circumstances of certain direct contempts require that a contemnor be provided some opportunity to offer evidence going to criminal intent and mitigation of penalty (148). In this case fairness demanded that appellant be provided an opportunity to present evidence and argument going both to guilt and to penalty. There may be cases of obvious misconduct such as physical violence by a defendant or spectator where the likelihood of justifying circumstances is sufficiently minimal that summary adjudication and punishment can be justified. But here, as noted, supra pp. 106-07, evidence outside the record was obviously essential to determine whether appellant had been engaged, as the court believed, in a deliberate scheme to subvert the administration of justice, or whether he was sincerely attempting to raise and preserve Sixth Amendment objections. Such evidence would have been relevant both to criminal intent, and therefore guilt, and to punishment.

(148) See, e.g., In re Oliver, 333 U.S. 257 (1957); Panico v. United States, supra p.105; Rollerson v. United States, supra p. 105; Widger v. United States, supra

continued on next page

DENMARK VESEY'S SLAVE CONSPIRACY OF 1822:

A STUDY IN REBELLION AND REPRESSION

by ROBERT S. STAROBIN

Recently, Richard Wade, University of Chicago historian, published an analysis of the Vesey Affair which reached a major conclusion that "no conspiracy in fact existed". On the basis of a close examination of the trial record, Wade argued that the rebels had "at most...a vague and unformulated plan, but no cache of arms lay hidden and no date for an uprising had been set". Moreover, Wade concluded that there were serious discrepancies within the trial testimony, and that a general urban insurrection was less likely than a rural one, since city Blacks enjoyed greater freedom than plantation hands (43). However, Wade's findings should be challenged and his use of evidence should be seriously criticized.

Concerning Wade's charge about lack of rebel planning, the caliber of the leadership and their discipline of silence over their recruits suggests that there is no reason why the rebels should have disclosed their full plan of action to the court, even under coercion. Since the magistrates admitted that only a minority of participants had been detected (44), why should those arrested have revealed the whole scheme when there was still a possibility of those at large beginning the revolt? Besides, the complete plans were probably known only to a few top leaders, most of whom died without disclosing any information. Even the "vague" plans uncovered were sufficient to seize the city had the revolt actually occurred.

Though Vesey may have been unable to create an "elaborate" rural following, where communications were difficult, he probably had mustered enough plantation support to carry out the plans (45). Regarding the urban underground, where communications were easier, the fact that several score of Blacks were convicted points to a city organization adequate to begin a rebellion, not counting those recruits who remained undetected by the authorities and those Blacks who might have joined in once the uprising began.

The absence of a cache of arms may be explained by the refusal of defendants to divulge such information or by the fact that Peter Poyas and Mingo Harth had enough time to secrete the arms after their temporary release, while Vesey and Gullah Jack were at large long after the discovery of the plot. There were places to conceal arms in the Black community where Whites would never find them, and, in any event, the rebels intended to capture the necessary arms by surprise attacks on homes, stores, and arsenals. The lack of rosters of names can be explained on similar grounds as well as by the fact that each leader was supposed to keep track of his own recruits--a point further verified when many of the accused denied knowing each other (46). Such organizing - by - groups suggests, moreover, the extensiveness of the plot rather than, as Wade maintains, its non-existence.

Since several Blacks testified that Vesey had set July 14 for the commencement of the insurrection and then advanced it to June 16 after the initial arrests, the argument that no date had been set seems to be a misreading of the evidence. Indeed, what is most striking about the trial testimony as a whole is the correspondence of names, places, times, numbers, dates, and other specific information--all of which points more to the reality of a conspiracy than to an unfounded panic among Whites (47).

The fears of uncontrolled White hysteria and unwarranted persecution of Blacks expressed publicly and privately by Justice Johnson, Anna Johnson, and Governor Bennett proves exactly the opposite of Wade's contentions. Such evidence demonstrates that the Johnsons and Bennett emphatically believed that a conspiracy existed, even though they questioned its extent and the court's means of uncovering it (48). In other words, no White Charlestonian at the time, including those with a vested interest in skepticism, thought that the conspiracy was just "loose talk". Even Wade concedes that Bennett "probably believed in a plot of some kind", and according to historian William Freehling, who carefully examined all of the sources, "Bennett believed that a serious conspiracy was afoot, but he doubted that it involved more than eight Negroes and questioned whether it ever came close to being consummated....In my judgment," concludes Freehling, "Bennett's position, but not Wade's, is consistent with all the evidence. While the terrorized community might exaggerated the extent of the danger, there was, in fact, a conspiracy worth getting excited about." (49)

Concerning the discrepancies between the printed and manuscript versions of the court record, a line-by-line comparison of the two documents reveals that some reorganization of evidence occurred, but there was no change in the testimony, except for the deleted sentences about poisoning water wells. Moreover, the manuscript confessions of Bacchus Hammett and John Enslow need not be identical to the printed record (or to the manuscript version for that matter) since these confessions were probably taken in jail before they were reiterated in court for the record. (50)

Wade's final claims--that "a concerted revolt against slavery was actually less likely in a city than in the country," because urban Blacks enjoyed (relative to plantation slaves) better treatment, higher living standards, "modest advantages", "a measure of independence within bondage", and "comparative freedom", while they lacked "great numerical superiority", all of which "deflected their discontent"--can be criticized on several grounds. First, many urban rebellions or conspiracies occurred before Vesey's attempt; the New York City insurrection of 1712 and the Gabriel Plot near Richmond, Virginia, in 1800, for example, suggest that urban uprisings were as "likely" as rural ones. Second, though Blacks only slightly outnumbered Whites in the city of Charleston, in the surrounding plantation districts the Black-White ratio of about ten to one was favorable to slaves overpowering their masters. White urban guards may have been a better deterrent (frighten, discourage) than rural patrols, but for Black rebels communication and organization were less difficult in cities than between outlying plantations. Third, the living conditions and treatment of urban house servants and slave artisans may have been superior to those for rural field hands, (51) but the bulk of urban day-labourers and factory slaves were, according to my own research on "industrial slavery", no more comfortable in terms of food, clothing, shelter, and working conditions than plantation bondsmen. Since urban slaves attempted to escape as frequently (proportional to their numbers) as rural slaves, city slaves seemed to feel as oppressed as their rural counterparts. (52) Even if some urban slaves received comparatively greater privileges, as Wade contends they did not necessarily feel less oppressed, for as the fugitive slave Peter Randolph recalled, urban slavery "as seen here by the casual observer might be supposed not to be so hard as one would imagine.... But Slavery is Slavery, wherever it is found." (53)

Whether the Vesey conspiracy was a genuine slave plot or merely a White panic is, however, in a sense irrelevant, since the tradition of insurrection and the memory of Vesey still continued in the Black communities of nineteenth century America. And despite White retaliation and repression, Vesey's conspiracy helped politicize American Blacks. Control of South Carolina's slaves remained a problem for Whites down to the Civil War, and the informers were ostracized by Charleston's Blacks. Black leaders in the North like Henry H. Garnet, William C. Nell, William Wells Brown, Archibald H. Grimke, and a certain "Colored American" kept alive the spirit of the conspiracy for many years. (54) Militant Whites like Joshua Coffin, Thomas Wentworth Higginson, and John Brown also revered Vesey's deeds. And when the fugitive slave Frederick Douglass recruited troops for the Union Armies during the Civil War, he called upon Black Americans to "Remember Denmark Vesey". (55)

Needless to say, the tradition of insurrection and the memory of Vesey's deeds still survive in the Black ghettos of twentieth century America, for as one Black scholar has recently written: "Denmark Vesey did lead a conspiracy which must be regarded as one of the most courageous ever to threaten the racist foundations of America....He stands today, as he stood yesterday, as an awesome projection of the possibilities for militant action on the part of a people who have for centuries been made to bow down in fear." (56)

FOOTNOTES

(43) Wade, "Vesey Plot", pp. 143-161; Wade, Slavery in the Cities, passim; Freehling, Prelude to Civil War, pp. 53-61, and Stuckey, "Remembering Denmark Vesey", pp. 28-41, comprise two recent critiques of some of Wade's assertions.

(44) Official Report, pp. 25, 27, 48, 59.

(45) Ibid., pp. 27-31

(46) Ibid., passim.

(47) Robert Starobin, ed., Denmark Vesey: The Slave Conspiracy of 1822 (Englewood-Cliffs, N.J., Prentice-Hall, Inc., 1970), introduction and afterword.

(48) Charleston Courier, June 21, 1822; Washington D.C., Daily National Intelligencer, August 24, 1822; Anna Hayes Johnson to Elizabeth Haywood, June 23, July 18, 24, 27, 1822, Haywood Papers (University of North Carolina Library); Governor's Message #2, Nov. 28, to state legislature (SCA); William Johnson to Secretary of State John Quincy Adams, Charleston, July 3, 1824, in House Reports, #80, 27 U.S. Congress, 3 session, 1843, pp. 14-15.

(49) Wade, "Vesey Plot", pp. 150, 160, 153; Freehling, Prelude to Civil War, pp. 53-54, note 6.

(50) Official Report compared to original manuscript version of the trial record in the SCA; Confessions of Bacchus Hammet and John Enslow, Hammet Papers (Duke University Library) compared to Official Report and original manuscript version of the trial record in the SCA.

(51) Robert Starobin, "Privileged Bondsmen and the Process of Accommodation", unpublished paper, 1969.

(52) Starobin, Industrial Slavery, ch. 2 and 3.

(53) Peter Randolph, Sketches of Slave Life (Boston, 1855) 58-59.

(54) Henry Highland Garnet, "An Address to the Slaves of the United States", August, 1843; William C. Nell, The Colored Patriots of the American Revolution....(Boston, 1855), 253-255; William Wells Brown, The Negro in the American Rebellion (Boston, 1867), 13-18; Archibald H. Grimke, "Right on the Scaffold, or the Martyrs of 1822", American Negro Academy, Occasional Papers #7 (Washington, D.C., 1901); "A Colored American", The Late Contemplated Insurrection in Charleston, S.C. (New York, 1850).

(55) Joshua Coffin, Slave Insurrections in the United States (New York, 1860); Thomas Wentworth Higginson, Travellers and Outlaws (New York, 1969 edition); Frederick Douglass, "Men of Color, to Arms!" March 2, 1863, quoted in Life and Times of Frederick Douglass (New York, 1941), 373-376.

(56) Stuckey, "Remembering Denmark Vesey", p. 41.

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NB: This article is a revised version of the introduction to my documentary on Denmark Vesey's Slave Conspiracy of 1822 to be published by Prentice-Hall, Inc., Englewood Cliffs, New Jersey, on September 8, 1970. The documentary is dedicated to Bobby Seale and in memory of Fred Hampton, and its royalties have been pledged to the Black Panther Party (see Black Panther, Feb. 28, 1970, p. 16).

BOBBY'S APPEAL

continued from last page



p.108; Offutt v. United States, supra pp. 107-08; Sacher v. United States, supra p. 106.
(END OF FOOTNOTES)

It is clear also that representation by counsel at sentencing was essential to appellant. Charged with 16 different incidents of alleged misconduct spread over the course of six weeks (149), he could not possibly have been expected to realize simply from the court's oral reading of the citation exactly what misconduct he had been charged with (150), or to present to the court factors relevant to its determination of the appropriate penalty for each charge, particularly since he was clearly stunned at the court's sudden action and confused as to what the court had done and for what purpose he was being allowed to speak. Moreover, his misconduct did not involve simple disobedience to clearly legitimate orders, or obviously unjustified physical violence, but rather constituted a course of conduct intricately tried to complex legal issues involving the right to counsel and the right to present one's own defense. As a layman who was in fact not represented by counsel throughout the trial he could not possibly have been expected to understand what facts unknown to the court might be relevant to penalty on each of the 16 contempt charges (151).

(149) The contempt charges were grounded not only on the material quoted in the 52-page contempt citation but on the 5484-page record of the trial.

(150) In this connection, it is important to note that each specification of contempt set forth in the trial judge's Certificate consists simply of an excerpt from the transcript containing exchanges between the court and appellant (and sometimes others). The excerpts are often quite lengthy. Nowhere does the judge state specifically what part of the exchanges is deemed contemptuous, or upon what theory of contempt.

(151) The usefulness of representation is illustrated by the fact that during the contempt proceedings at the close of Seale's co-defendants' trial, Weinglass persuaded the trial court to withdraw the 16th specification of contempt against defendant Hoffman, by pointing out an allegedly contemptuous remark by Hoffman was simply a response in kind to a humorous comment by the court.
(END OF FOOTNOTES)

October 1966
Black Panther Party
Platform and Program

What We Want
What We Believe



Huey P. Newton Minister of Defense
Black Panther Party

1. We want freedom. We want power to determine the destiny of our Black Community.

We believe that black people will not be free until we are able to determine our destiny.

2. We want full employment for our people.

We believe that the federal government is responsible and obligated to give every man employment or a guaranteed income. We believe that if the white American businessmen will not give full employment, then the means of production should be taken from the businessmen and placed in the community so that the people of the community can organize and employ all of its people and give a high standard of living.

3. We want an end to the robbery by the CAPITALIST of our Black Community.

We believe that this racist government has robbed us and now we are demanding the overdue debt of forty acres and two mules. Forty acres and two mules was promised 100 years ago as restitution for slave labor and mass murder of black people. We will accept the payment in currency which will be distributed to our many communities. The Germans are now aiding the Jews in Israel for the genocide of the Jewish people. The Germans murdered six million Jews. The American racist has taken part in the slaughter of over fifty million black people; therefore, we feel that this is a modest demand that we make.

4. We want decent housing, fit for shelter of human beings.

We believe that if the white landlords will not give decent housing to our black community, then the housing and the land should be made into cooperatives so that our community, with government aid, can build and make decent housing for its people.

5. We want education for our people that exposes the true nature of this decadent American society. We want education that teaches us our true history and our role in the present-day society.

We believe in an educational system that will give to our people a knowledge of self. If a man does not have knowledge of himself and his position in society and the world, then he has little chance to relate to anything else.

6. We want all black men to be exempt from military service.

We believe that Black people should not be forced to fight in the military service to defend a racist government that does not protect us. We will not fight and kill other people of color in the world who, like black people, are being victimized by the white racist government of America. We will protect ourselves from the force and violence of the racist police and the racist military, by whatever means necessary.

7. We want an immediate end to POLICE BRUTALITY and MURDER of black people.

We believe we can end police brutality in our black community by organizing black self-defense groups that are dedicated to defending our black community from racist police oppression and brutality. The Second Amendment to the Constitution of the United States gives a right to bear arms. We therefore believe that all black people should arm themselves for self-defense.

8. We want freedom for all black men held in federal, state, county and city prisons and jails.

We believe that all black people should be released from the many jails and prisons because they have not received a fair and impartial trial.

9. We want all black people when brought to trial to be tried in court by a jury of their peer group or people from their black communities, as defined by the Constitution of the United States.

We believe that the courts should follow the United States Constitution so that black people will receive fair trials. The 14th Amendment of the U.S. Constitution gives a man a right to be tried by his peer group. A peer is a person from a similar economic, social, religious, geographical, environmental, historical and racial background. To do this the court will be forced to select a jury from the black community from which the black defendant came. We have been, and are being tried by all-white juries that have no understanding of the "average reasoning man" of the black community.

10. We want land, bread, housing, education, clothing, justice and peace. And as our major political objective, a United Nations-supervised plebiscite to be held throughout the black colony in which only black colonial subjects will be allowed to participate, for the purpose of determining the will of black people as to their national destiny.

When, in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume, among the powers of the earth, the separate and equal station to which the laws of nature and nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness. **That, to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that, whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute a new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness.** Prudence, indeed, will dictate that governments long established should not be changed for light and transient causes; and, accordingly, all experience hath shown, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. **But, when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security.**



WE WILL NOT HESITATE TO EITHER KILL
OR DIE FOR OUR FREEDOM

